

# IS THERE A HUMAN RIGHTS DOUBLE STANDARD? U.S. POLICY TOWARD EQUATORIAL GUINEA AND ETHIOPIA

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## JOINT HEARING BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS, HUMAN RIGHTS, AND OVERSIGHT AND THE SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH OF THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED TENTH CONGRESS

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## **IS THERE A HUMAN RIGHTS DOUBLE STANDARD? U.S. POLICY TOWARD EQUATORIAL GUINEA AND ETHIOPIA**

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**THURSDAY, MAY 10, 2007**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS,  
HUMAN RIGHTS, AND OVERSIGHT, AND  
SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The subcommittees met, pursuant to notice, at 2:08 p.m. in room 2172 Rayburn House Office Building, Hon. William D. Delahunt (chairman of the Subcommittee on International Organizations, Human Rights, and Oversight) presiding.

Mr. DELAHUNT. The subcommittees will come to order. Today, we begin to start a series of hearings on how the United States treats governments with poor records on democracy and human rights sometimes in disparate ways.

Today's hearing on "U.S. Policy Toward Equatorial Guinea and Ethiopia" will be a joint hearing with the Subcommittee on Africa and Global Health. I thank the gentlemen from New Jersey, both passionate advocates of human rights in Africa, Chairman Don Payne and Ranking Member Chris Smith, for their cooperation.

Today's hearing responds to testimony we have heard in a series on foreign opinion about the United States. The pollsters tell us that foreigners do not hate us because of our freedom and our values but because they think oftentimes we fail to live up to our values. They are disappointed when we call for democracy and human rights while, at the same time, providing support to cooperative but nondemocratic governments who abuse human rights. They say, when it comes to getting base rights, as in military bases, or mineral rights, we often forget human rights.

To prepare for this series, we had a hearing last week on the State Department's Country Human Rights Reports with Assistant Secretary of State for Democracy, Human Rights, and Labor Barry Lowenkron. He agreed that some of our allies, like Egypt or Saudi Arabia, fall short when it comes to democracy and human rights, yet while we criticize adversaries with similar records, such as Iran or Cuba, we do not highlight the comparable, but obvious, rights abuses by allies whom we often support militarily.

I would like to explore why and how we can make promoting human rights and democracy a cornerstone of our approach to

other nations, not just one of several competing influences and factors.

When people ask me why we hold so many hearings on foreign opinion, like my dear friend who, hopefully, will be joining us shortly, Mr. Rohrabacher, I reply that foreign opinion can have a real impact on our national interests, and we ignore it at our own peril.

If people start asking me why we are holding hearings on human rights and double standards, I would reply in much the same vein. Double standards, so useful in the short term for gaining military, economic, and covert cooperation with dictators, can come back to bite us in two ways.

First, our foreign policy should have at its core our long-term reputation as a champion of democracy and human rights. As the French observer of the United States said, back in the 1800s, Alexis de Tocqueville, "America is great because America is good."

As one of our witnesses says in his testimony, "If our moral currency is not as sound as the dollar, we will be undercut in our ability to build alliances and conduct an effective foreign policy."

Second, when we support dictators, their citizens will not bear suffering forever and may rise up in another of the civil wars that are at the heart of Africa's poverty challenge. The result can be the deaths of millions, the collapse of regional economies and American export markets, and even intervention by American troops. On both moral grounds and on the basis of our crass national interests, these are outcomes we must seek to avoid.

Before we turn to our witnesses to help us with current United States policy choices in Africa, let me go back to the 1980s to illustrate the danger of a double standard.

I ask my colleagues to examine the first chart we have up. It shows that four of the five largest recipients of our economic and military aid in sub-Saharan Africa were dictators whose rule led to civil war and state failure: Sudan, Somalia, Liberia, and Zaire. The primary motivations for this aid were strategic, such as access to military bases and minerals and support for CIA operations.

At the top of the chart, you see Sudan, which received \$3.2 billion in aid while giving concessions to American oil companies and helping the administration in its efforts to topple Qaddafi in Libya.

Somalia, next on the chart, received \$1.56 billion after its Marxist President gave the Carter administration the use of military bases for the U.S. Rapid Deployment Force.

Liberia also received in excess of \$1 billion in return for use of our communication facilities for the U.S. Navy, the CIA, and the Voice of America.

And Zaire, now known as the Congo, also received in excess of \$1 billion in aid, and they gave us access to strategic minerals, like cobalt, and allowed the CIA to aid the UNITA rebels in Angola.

Well, was it worth it? The strategic benefits we gained from aiding these dictators, I think, no. Millions died in horrific civil wars in these four dictatorships. United States exports dropped to nothing, and American troops were sent to try and end the chaos and suffering in Somalia.

I hope that, with these hearings, we can find a way to pursue our strategic interests without strengthening similar dictatorships who might turn into the failed states of tomorrow.

[The prepared statement of Mr. Delahunt follows:]

PREPARED STATEMENT OF THE HONORABLE BILL DELAHUNT, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF MASSACHUSETTS, AND CHAIRMAN, SUB-COMMITTEE ON INTERNATIONAL ORGANIZATIONS, HUMAN RIGHTS, AND OVERSIGHT

The Subcommittees will come to order. Last week the Subcommittee on International Organizations, Human Rights, and Oversight held a hearing with the administration's chief human rights official, Assistant Secretary of State Barry Lowenkron. Today, the Subcommittee is starting a series of hearings on human rights double standards, examining the different ways the United States treats governments with poor records—as detailed in the State Department Country Reports on Human Rights Practices and in the studies of Amnesty International, Human Rights Watch, and Freedom House—on democracy, human rights, and other rights guaranteed by the Universal Declaration of Human Rights.

This initial hearing of this series is a joint hearing with the Subcommittee on Africa and Global Health. It focuses on U.S. policy toward Equatorial Guinea and Ethiopia. I thank my friend, the gentleman from New Jersey, Chairman Don Payne and his ranking Member, also a gentleman from New Jersey, Chris Smith for their willingness to work with us on this hearing. Their records in Congress of promoting respect for human rights in U.S. policy toward Africa are remarkable, and durable. We are pleased to be holding this hearing under their leadership.

This series of hearings on double standards follows from testimony taken by our subcommittee, often in joint hearings with other subcommittees, in a ten-hearing series on foreign perception of the United States. A number of pollsters testified that, contrary to the conventional belief that “they hate us because of our freedoms” and our values, foreigners in general are better described as being disappointed because the United States, in their perception, calls for the observance of democracy and human rights while at the same time providing support to cooperative, but non-democratic, governments who abuse human rights.

When people ask me why we hold so many hearings on foreign opinion—like my friend the Ranking Member when he asked last week if it was time for the hearing on the opinion of the penguins of Antarctica about U.S. foreign policy—I reply that it is because those foreign opinions have a real impact on our national interests. We ignore them at our own peril. Not caring what others think is just plain stupid—it’s like walking through a dark room and hoping not to run into a table.

If those same people now start asking me why we are holding so many hearings on human rights double standards, I will reply in much the same way: those double standards, so useful in the short-term for gaining military, economic, and covert cooperation with strong men and dictators, can come back to bite us in two important ways.

\* First, by backing thugs against the aspirations of the common people, we erode our most precious national asset, our standing in the world as a moral leader, the bulwark of democracy and human rights. Both for others and for ourselves, we cannot be a superpower if we are not also a moral power. We cannot be like other major foreign powers operating in Africa, overflowing with grand words about stability and growth, but cynically concerned just with access to minerals and military cooperation.

\* Second, when we support dictators, their citizens, like our forebears in 1776, will not bear suffering forever, and may rise in yet another of those devastating civil wars that are at the heart of Africa’s poverty challenge. When dictators, strengthened by outside funding and arms, refuse to cede power through elections, the result can be civil wars in which:

- millions die,
- entire nations, economies, and American export opportunities disappear off the map,
- foreign troops and relief programs, including American troops and American dollars, are needed to restore stability, and
- surrounding countries can find their economies swamped with refugees and shunned by their own and foreign investors.

On both moral grounds and on the grounds of our national interests, these are disastrous outcomes that we must seek to avoid.

Our national interest is composed of many factors, one of the most important of which is our long-term reputation as a champion of democracy and human rights. As one of our witnesses today, Dr. Nyang, says in his written testimony, if our moral currency is not as sound as the dollar, we will be hampered in our ability to build alliances and conduct an effective foreign policy that safeguards our interests.

It appears that at times our desire for short-term military, economic, and covert cooperation, rather than our long-term need to stand with others who are oppressed, dominates our foreign policy. When it comes to getting base rights, we see concern for human rights take a back seat. When it comes to getting mineral rights, we see concern for democratic rights take a back seat. When it comes to cooperation with covert operations, we see cooperation in ending torture take a back seat.

Before we turn to our witnesses to help us with current U.S. policy choices in Africa, let me demonstrate not in theory, but with concrete examples from recent history, why I am so concerned about this issue of double standards. I ask my colleagues to take a look at this first chart, prepared from data on U.S. aid programs compiled by the Congressional Research Service. You will also find the chart and its supporting tables in your committee memorandum.

This chart shows that in the 1980s four of the five largest recipients of U.S. economic and military aid in Sub-Saharan Africa were dictators whose rule led to civil war and even state failure: Sudan, Somalia, Liberia, and Zaire. The primary motivations for this aid were strategic: access to military bases and other forms of military cooperation, support for CIA operations, and access to strategic minerals.

- At the top of the chart, you see Sudan, which received \$3.26 billion in total U.S. aid, much of it at a time when President, formerly colonel, Nimieri was offering concessions to U.S. oil corporations and cooperating with the Reagan administration efforts to topple Libya's Gaddafi;
- Somalia received \$1.56 billion after Marxist President, formerly general, Barre, granted President Carter the use of military bases for the U.S. Rapid Deployment Force for the Middle East. I note that the third country in line there, Kenya, had \$1.55 billion in aid which was also related to the U.S. Rapid Deployment Force and its use of the Mombasa naval base;
- Liberia received \$1.12 billion, in return for which President, formerly master sergeant, Doe continued throughout the 1980's U.S. use of the U.S. Navy's Omega navigational tower, as well as the widely-reported CIA operations center for Africa and the Voice of America continental transmitter; and
- Zaire, now known as Congo, received \$1.07 billion in aid, which came at a time when access to such strategic minerals as cobalt was important to U.S. military production, and when President, formerly colonel, Mobutu was allowing the CIA to send through Zaire its weapons for the UNITA rebels in Angola.

Was it worth it, the short-term strategic benefits we gained from aiding these dictators? I think not. Millions died in the horrific civil wars that broke out in these four dictatorships, and U.S. exports dropped to nothing while American troops were sent to try and end the chaos and suffering in Somalia. I hope that with these hearings we can find a way to pursue our strategic interests without strengthening similar dictatorships today, who might turn into the failed states of tomorrow.

I will leave it to the experts, Mr. Payne and Mr. Smith, to introduce us in their introductions to some of the issues we faced in Equatorial Guinea and Ethiopia, but I hope that this chilling history lesson has made us all a little more wary of the possible results of allying ourselves with repressive regimes.

I would like to acknowledge the presence with us today of Holly Burkhalter, in the early 1980's a staff member of this subcommittee, who in the 1990's, while working as the Washington Advocacy Director for Human Rights Watch, was the first person to point out this peculiar concentration of U.S. aid to Africa on these four dictatorships. Holly, could you stand up so the Subcommittee Members can acknowledge that the staff are always right?

I will now offer a brief introduction of our witnesses, whose impressive and far more lengthy biographies you have in your folders.

In Dr. Sulayman Nyang we have before us one of the world's leading Africanists. In his 33 years as Professor and at times Chair at Howard University's Department of African Studies he has written so many books—on Islam and other African Religions and their role in Politics, and on the challenges of democracy and development in Africa—and advised so many institutions—from the United Nations to the World Bank to the Smithsonian's African Voice Project—that it is almost impossible to

keep count. Dr. Nyang, we are honored to have you here to help us with these issues.

Lynn Fredriksson is known to many Members of Congress for her role in the 1990's as Washington Coordinator of the East Timor Action Network. There are not many witnesses who can come before us with a record of have been in the front lines of a successful effort to democracy to a land of repression, but that is exactly what Ms. Fredriksson did in helping the East Timor Action Network as it led foreign opposition to Indonesia rule. Now she is the Advocacy Director for Amnesty International USA, an organization that for which I and I dare say nearly every Member of Congress has enormous respect. Ms. Fredriksson, thank you for your past service, and your presence here today.

Dr. Peter Pham is the Director of the Nelson Institute at James Madison University, and a professor in the Africana Studies Department. He is the author of numerous articles and books, including the soon to be released "Africa Matters: Winning the Next Battle Against Terrorism." Among his many contributions to African democracy have been his participation in election monitoring missions in Liberia and Nigeria. Professor Pham, we welcome you as well.

Professor Nyang, you may proceed, but, I urge you and Professor Pham to be careful today. I am told that Ms. Fredriksson is "this close" to getting her Ph.D. and becoming a professor too. Any mistakes, and you could be out of a job!

**Mr. DELAHUNT.** Before turning to other members on the panel for their opening remarks, I would like to acknowledge the presence with us today of Holly Burkhalter who, in the early 1980s, was a staff member of this committee. In the 1990s, while working at Human Rights Watch, Holly was the first to point out this peculiar concentration of American aid to Africa and these four dictatorships. Holly, could you please stand up?

[Applause.]

**Mr. DELAHUNT.** With that, since Mr. Rohrabacher has yet to arrive—I am confident that he will come—let me turn to the ranking member of the Subcommittee on Africa, a fierce advocate for human rights, and highly regarded by all in the human rights community, Mr. Chris Smith of New Jersey.

**Mr. SMITH OF NEW JERSEY.** Mr. Chairman, thank you for convening this very important hearing—I think it is very important that we do joint hearings like this, so I thank you for that vision—and to my good friend and colleague, Chairman Don Payne. Thank you for your leadership on this as well.

I see Holly Burkhalter is here in the audience. I had her as a witness time and time again, and I am sure you will as well. She was a font of information, incisive and clear, and visionary. It is so great to see Holly again, and thank you for your contributions over the many decades.

**Mr. Chairman,** I would just point out that, in my 27 years as a Member of Congress, in which I have focused the bulk of my time and energy on human rights, humanitarian issues, and foreign policy, I have seen that there is a human rights double standard, and there is one under every administration. We saw it in the Reagan administration; we saw it in Bush 41, especially as it relates to the People's Republic of China. We saw it during the Clinton administration, and we see it today.

I have seen it. I have spoken out against it, like you and others, and I have done everything in my power to prevent every administration from shutting their eyes to human rights violations. When you are in a gulag, when you are being tortured, you do not ask if it is a right-wing or a left-wing dictatorship. It hurts, and you want remedies, and you want relief from that kind of abuse.

This double standard seems to be a bug that gets passed from one administration to the other. I remember the Clinton administration, for example, its feckless response to three of the worst outrages of our times. First, the 1994 Rwanda genocide in which the Hutus slaughtered Tutsis. Despite the Rwandan Government's obvious preparations for slaughter, nothing was done to prevent it.

I say this because I chaired, contemporaneous with those slayings and then after, a number of hearings at which we pressed for action. I remember Mr. Payne being equally passionate in calling on the administration to step in and to stop this unbelievable slaughter. Despite the international news coverage of the slaughter as it progressed, nothing, like I said, was done to stop it.

During the spring and summer of 1994, while the Hutus slaughtered, like I said, at least half a million Tutsis with machetes, the administration did nothing at all to step in and did nothing at all to organize an international intervention. To his credit, President Clinton has repeatedly expressed his regret for what he admitted was his "personal failure."

The double standard in our nonresponse to Rwanda was very unpleasant but obvious, and many people remarked about it at the time. Everyone knew that if one ethnic group had fallen on another with machetes in a European or a Latin American state, this would not have been tolerated. The United States would have led an international community effort, clamoring for intervention.

But the Rwanda horrors occurred in Africa and the White House did nothing. One standard was applied to Europe, North and South America, Russia, and another standard, a lower standard, to Africa.

Second, the genocide that occurred in Southern Sudan; the war in Southern Sudan, let us not forget, killed 2 million people and displaced 4 million. President Clinton responded with weak efforts to isolate Sudan diplomatically. Congress could not force the President so much as to name a special envoy.

Not until 2001, when President Bush designated Senator Danforth special envoy for peace in the Sudan with the mission to work and to report back to the White House on what we could do to cobble together a peace, did that tragedy, along with great strides being made by Dr. Garang, finally come to an end.

It is the same double standard again, one for Africa and one other for the rest of the world.

Third, chattel slavery in Mauritania and the Sudan; in the mid-1990s, abolitionists exposed a continuing existence of chattel slavery in Mauritania and Sudan, where tens of thousands of Black Africans were held as slaves.

I chaired the first hearing ever on slavery in Sudan and Mauritania, and we had people from the administration trying to soft peddle and say that, for example, in Mauritania, it was only the vestiges of slavery rather than the fact that people were being bought and sold like commodities, and the same kind of soft view toward what was going on in Sudan itself.

I was even attacked by Reverend Farrakhan's people for raising the issue, accusing me of accusing the dictator, who still sits here, Bashir, for his mistreatment of these individuals. Again, there was

this double standard. The White House kind of looked askance at that terrible situation.

Now, here, we are talking about the Bush administration's policy toward Ethiopia and Equatorial Guinea. I am glad we are addressing these important topics, and I hope this hearing will encourage the Bush administration to push harder, much harder, on Prime Minister Meles and President Obiang on human rights violations in those two countries.

I, myself, have been pushing the administration, and I know Don Payne and I have had many hearings on these issues, and we have brought the administration people before us both when I was chair, and as he now occupies that chairmanship, and, unfortunately, we do not get satisfactory answers.

In August 2005, I met with President Meles. I urged him to investigate the 2005 shootings of demonstrators, to punish those responsible, and to release the political prisoners. He has not done any of this. I believe, along with many other people in both parties, that the Bush administration has not put enough pressure on the Meles government.

Ethiopia is a great ancient civilization whose people have suffered so much. We all remember the terrible killing fields where food was used as a weapon during the Mengestu regime, and now they are suffering again from unlawful beatings, abuse, mistreatment of detainees and opposition supporters by security forces, poor prison conditions, arbitrary arrest and detention, particularly those suspected of sympathizing with or being members of the opposition party or parties, and detention of thousands without charge and lengthy pretrial detention.

That is why I have reintroduced legislation, the Ethiopian Freedom, Democracy, and Human Rights Advancement Act of 2007, a bill that I began writing when I got on the plane and left Addis on my way to Khartoum and then Darfur, believing that we could use the Belarus Democracy Act language or the same concept and apply it to Ethiopia.

Mr. Payne and I have worked on similar bills, and, hopefully, we will produce a bill that will go on to become law that would help civil society and human rights organizations and indigenous people reclaim the democracy that has been lost or, at least, largely lost, and I could explain that further.

Finally, the people of Equatorial Guinea suffered as well in the late 1970s, under one of the world's most repressive regimes, and almost one-third of its citizens emigrated. Under President Obiang, things are perhaps a little better, but they remain bad.

The people of Equatorial Guinea, according to the State Department, suffered torture, beatings, and other physical abuse of prisoners and detainees by security forces; harsh and life-threatening prison conditions; impunity; arbitrary arrest and detention; and incommunicado detention; harassment and deportation of foreign residents; judicial corruption and lack of due process; restrictions on the right to privacy; and severe restrictions on the freedom of speech and freedom of the press.

Equatorial Guinea has become an oil-rich country, but this wealth remains in the hands of a small ruling elite. So this wealth makes it difficult perhaps for the U.S. to exert pressure. I would

say just the opposite: We need to speak loud and clear about human rights abuses there.

Thank you, Mr. Chairman. Let me just conclude with one final statement. I believe this administration has not pushed Prime Minister Meles hard on human rights because it is satisfied that his government is cooperating with us in the War on Terror. The War on Terror is very important, but no regime that terrorizes its own citizens can be a reliable ally in the War on Terror.

Terrorism is not just a military issue; it is also a human rights issue. Terrorists come from countries where their governments fail to respect their human rights. In defending human rights, we are fighting terrorism, attacking it at its very roots. Pope John Paul II once said, "If you want peace, work for justice," and that works with the rule of just law and respect for fundamental human rights. This administration, like all of the previous ones that should have done it better, this one has to do better. I yield back.

Mr. DELAHUNT. Well, I thank the gentleman for his very powerful and accurate observations. Clearly, this is an issue that does transcend administrations. Both Republican and Democrats have, at best, had inconsistent records in terms of factoring into the equation, if you will, the impact of human rights abuses in particular countries.

With that, let me turn to my dear friend and an outstanding champion of Africa, an outstanding leader in the area of human rights, the other gentleman from New Jersey, who chairs the Africa Subcommittee, Don Payne.

Mr. PAYNE. Thank you very much, Mr. Chairman, and let me also express my appreciation for your initiating this joint hearing. I agree with my colleague from New Jersey. I think it is good that we have joint hearings on issues of mutual jurisdiction, and I certainly appreciate this hearing to examine the administration's human rights policies toward Ethiopia and Equatorial Guinea. The policies bear careful examination, and I am glad that we are doing so.

I also would like to add my accolades to Holly Burkhalter who worked here during the Rwandan genocide when Chairman Johnson was chairing the committee. We had several hearings with the State Department regarding the genocide. Holly was there speaking out, and the State Department was pretty silent. They would not even admit that genocide was going on and said it looked like it could almost be everything else but "genocide."

However, I am disappointed. We were able to get a resolution passed several years ago declaring genocide in Darfur; however, we expected that it would actually trigger a response that at this point in time has not happened. We feel that this whole issue should have been resolved by now. I am disappointed, and the people in Darfur and in Northern Chad are also disappointed, because they are still living under horrendous conditions. Even though genocide was declared, we are still allowing it to go on. We have failed the people who are internally displaced and who are refugees.

I have several particular concerns related to our support for human rights and democracy in Ethiopia and Equatorial Guinea.

The first is that our rhetoric is not living up to reality in terms of the policies we pursue. As we have mentioned, this has been a

problem through various administrations. However, Chairman Delahunt and myself feel that, whether it has happened under Democrat or Republican administrations, there is no excuse for it to continue. Perhaps this should have been raised before by those who chaired the committees during the past 12 years.

I was new to Congress and Mr. Delahunt was not even here, I do not believe, when Democrats were in control of the Congress. So we are now trying to correct things by addressing things that should have been examined in the past. We could go back to the early sixties, if we wanted, and even before that, when people conspired to kill Patrice Lumumba.

The West felt that he was dangerous to the world because he was an outspoken, Black leader who was talking about pan-Africanism. He talked about Africa throwing off the shackles of slavery and discrimination, and so he was eliminated. President Mandela was actually tracked by the CIA. It was their information that led to his arrest, our own intelligent agencies. And, of course, no one interfered when Steve Biko was murdered as he was transported from place to place throughout South Africa until they knew he was dead so that then he could not be taken to the hospital. He died in transport.

So there is a lot to look at, depending on how far we want to go back, but I think we need to just look at our recent past. We should draw a line in the sand and say that we will no longer look the other way and allow people that we feel are carrying out our policies to be human rights abusers and say that it is all right.

So again, my first concern is that the rhetoric is not living up to reality in terms of policies we pursue. The current administration has talked a good game when it comes to human rights and democracy in the world, but it is clear to me that those issues become much less important when there are other perceived interests at risk.

The President stated in his State of the Union Address, in 2006, that, "Dictatorships shelter terrorists and feed resentment and radicalism and seek weapons of mass destruction. Democracies," he said, "replace resentment with hope, respect the rights of their citizens and their neighbors, and join the fight against terror. Every step toward freedom in the world makes our country safer, and so we will act boldly in freedom's cause."

The statement sounds great, but there is not enough follow-through supporting what the President said when we just take two examples: Equatorial Guinea and Ethiopia. We could even consider to do more, but let us just take those two.

Almost exactly a year ago, Secretary of State Rice welcomed President Theodore Obiang of Equatorial Guinea, one of Africa's longest-standing dictators, to the United States with open arms, calling him our good friend. That was certainly a bold statement, but I hope it is not what the President had in mind when he referred to bold actions.

The State Department itself indicates that human rights violations in Equatorial Guinea are common and include abridgement of citizens' rights to change their government; torture, beating, and other physical abuse of prisoners and detainees by security forces; arbitrary arrests, detentions, and incommunicado detentions; judi-

cial corruption and lack of due process; severe restrictions on freedom of speech and of the press; restrictions on the right of assembly; association and movement; and government corruption.

Secretary Rice's warm welcome of President Obiang came on the heels of an agreement by the United States Agency of International Development to provide technical assistance to the Government of Equatorial Guinea to administer a social needs fund. I am all for the Government of Equatorial Guinea spending some of its billions of dollars on its own people, but we have no proof that this assistance that we were going to give to them for the social needs fund has ever been enacted.

But my question, again, is whether putting the credibility of the United States Government on the line in support of a regime led by a man who took power through a military coup d'état in 1979 and who has never stood for free elections is a bold act in freedom's cause, to use the words of the President. It is confusing.

Likewise, our policies in support of democracy and human rights in Ethiopia require a degree of scrutiny. Nearly 200 people were killed and thousands arrested by the government, in June and November 2005, when they took to the streets to protest the results of the May 2005 elections. While many of those detained were released a short time later, an unknown number remain in prison today, including opposition politicians and members of civil society.

The newly elected mayor of Addis Ababa and others are charged with crimes that could carry the death penalty, and on my last trip to Ethiopia, I visited him and seven others in prison, and they are still being detained in prison. The biggest mistake that the mayor of Addis made was that he won the election. I guess, if he lost, he would still be free. But the people of that city voted for him, elected him to office, and, therefore, he was arrested. However, we are using our AWACS and Special Services to guide Ethiopia as it invades Somalia because, I guess, that is part of the War on Terror.

We continue to provide military assistance to the Government of Ethiopia while failing to take a consistent, outspoken stance in support of democracy and human rights at the highest level of our Government. This is part of the reason that the administration had no, I repeat, no, credibility when it claimed that it did not support the Ethiopian invasion of Somalia, nor when we claimed we did not support the warlords, the same factions of the Addis and Anamatis many years later, who fought our Rangers and were responsible for the killing of 18 Rangers. The same people, just the children of those, were the ones that our Government supported financially, militarily, and still support in Somalia.

My second concern is that we are repeating the mistakes of the past. At various points in our history, as it was certainly very clearly pointed out by the charts that the chairman brought out, the five recipients of United States economic and military aid in sub-Saharan Africa from 1980 to 1989—it is very clear—were very oppressive. I am concerned, as I mentioned, that we will be repeating the mistakes of the past.

At various points in our history, the United States has supported Africa's most oppressive regimes because it met our short-term interests at the time. We gave resources and provided security assistance to despots, such as Samuel Doe of Liberia. We gave Liberia

more United States assistance, under the 10 years of Samuel Doe, who took over militarily, and executed the First Family and the Vice President and cabinet members on the beach. The United States contributed more to Liberia during the 10 years that he was President than it did in the history of the country since its founding in 1848. Now, try to fathom that.

Mubutu Sese Seku of Zaire had villas all through France and Europe and magnificent yachts on lakes in Zaire. We knew how much he was stealing, and we continued to send the money to Zaire where now, the current Government of the Democratic Republic of Congo still has debts that Mubutu created, and it is still responsible for that debt. And, of course, Said Barre of Somalia, just to name a few.

We supported constructive engagement with P.W. and Pik Botha in South Africa because they were anti-Communist, and, therefore, whatever they did, even apartheid, as horrible as it was. It took the Congress to pass the Comprehensive Anti-Apartheid Act (C-triple A) in 1986, Ron Dellums' legislation on sanctions, to correct our policy.

And I have to commend Senator Lugar for at that time, in 1986, providing the one vote needed for the 67 votes to override President Reagan's veto, the first veto of President Reagan ever overturned during his Presidency. It took a very good friend to do that. He said that President Reagan never forgave him for that vote.

However, Senator Lugar is still a Senator because I think he had the courage, really, against all odds, against his party, against the sentiment of the people at that time, to have the courage to cast that vote. And I have told him, on a number of occasions, that I respect him greatly for what he did at that time.

Our support sowed the seeds of conflict and chaos in these countries that they still have not fully recovered from. To this day, Somalia has no functioning government. The Democratic Republic of Congo is showing slight improvement, as they recently had an election, but they stand on very shaky ground, and if things go the wrong way, it will be in trouble.

Of the three, only Liberia, because of the uniqueness of its current President, the first woman elected in Africa, who has turned the spotlight on her country, is moving along little by little.

So actions speak louder than words. If we say we support democracy and human rights but fail to send strong messages regarding these issues, it undercuts our cause.

I have taken action. I have introduced H.R. 2003, the "Ethiopian Democracy and Accountability Act of 2007," that Ranking Member Smith and Mr. Rohrabacher have even expressed interest in, and Mr. Delahunt as well, to support the consolidation of peace and security and respect for human rights and democracy in Ethiopia. I would like to see strong, concrete actions on a consistent and sustained basis by the administration related to the human rights and democracy to both Equatorial Guinea and Ethiopia.

Thank you. I look forward to hearing from the witnesses, Mr. Chairman.

Mr. DELAHUNT. Thank you so much, Mr. Payne, for that very thoughtful review of our history. Your comments and that of Mr. Smith provoke the thought or the memory, if you will, that I had

when, in my first term on this committee, where I expressed my dismay that the Clinton administration failed to recognize that what was transpiring in Rwanda was genocide. Later, the then-Secretary of State, Madeleine Albright, described it was one of those profound regrets that will live with her forever.

The bottom line is that we cannot forget. We say that all so often and yet we fail to sometimes comply. I am going to call on my friend and my ranking member for his comments. Mr. Rohrabacher?

Mr. ROHRABACHER. I noticed we were about to go into votes. Let me apologize for not being here. A meeting opened, there was really an important session going on that needed my vote, and I was there.

This hearing is focused mainly on Ethiopia and Equatorial Guinea. I do not know much about Equatorial Guinea, and I am looking forward to hearing the testimony to find out about Equatorial Guinea.

I do know a bit about Ethiopia, which has certainly been a country that I have paid attention to for the last few years. The Government of Ethiopia now, of course, is working in cooperation with the United States Government, both in military and intelligence operations going on in the continent of Africa. The government is cooperative. We have established what basically is a partnership with the current Government of Ethiopia.

If Ethiopia was a democracy or a country evolving toward democracy, I would think that this would be a fine thing, but Ethiopia is not evolving toward democracy; it is evolving in the wrong direction, and our partnership, at this time, with the Government of Ethiopia sends exactly the wrong message to the people of Africa and elsewhere in the developing world that we are partnering with a government that is making their country more repressive and not less repressive.

Ethiopia, as I say, is going the wrong way, and we are depending on them, what? We are depending on this government to be our partner and be our proxy. We have had proxies in the past to serve against America's enemies, and it does not work if those proxies happen to be dictatorships. It does not work if our proxies and our partners happen to be a democratic government; it tends to work because it is consistent.

But here we have, just like we did in the Cold War—in the Cold War, we allied ourselves with the Samosas and the dictators in different parts of the world in order to thwart Communist expansion, and what we did was basically turn the population of those countries and other countries off to the United States, believing that we were, instead, in favor of dictatorship and repressive government.

It did not work then, and it was not until—and I know Reagan is never given credit for this by the left, but it was not until Ronald Reagan came in, and, with a speech at Westminster in Parliament, decided that democracy was going to be the issue, democracy versus communism, and as soon as we made that commitment, and I saw those changes being made, and we started supporting the democratic elements and insisting in elections in these countries that were in play, that is when the Cold War started going in our direction.

So it did not work before in the Cold War, and it is not going to work as well with the war on Radical Islam for us to be allying ourselves with dictators in order to have proxies in this war.

So, with that said, the Government of Ethiopia, as I can see, is increasingly repressive. We will hear evidence today, I am sure, in the last election they had, guess what? The opposition won, and the opposition was thrown into jail, and the election was declared invalid. No government that does that should have the support of the United States Government, period. No matter what they do for us, we should not be recognizing that. The theory is, oh, the Government of Ethiopia represents a big country that we now have the power of that country on our side. No. We have turned the population of that country against us by supporting this repressive government, and so with that, say the cause of freedom has not moved forward by any type of partnership with Ethiopia.

Certainly, peace has not served us well. As we know, at one of the hottest points in Africa, the hot spots in Africa, for decades has been a border dispute between Ethiopia and Eritrea, and as part of this partnership, we basically have been ignoring a commission that was put in place, with the agreement of Ethiopia and Eritrea, to respect the boundaries as established by the commission, and here we are walking away from that in order to have the Ethiopians' partner be our proxy and invade Somalia on our behalf.

What is that going to do to the cause of peace? We are telling everybody in Africa what? They can now ignore peaceful methods of solving problems because if somebody makes a deal with us, we will negate the basic understandings of abiding by peaceful solutions.

The whole thing stinks. It is something that we need to talk about. I am glad we are having a hearing today. The last part we need to look at is, number one, what comes with repression? Corruption, and we have overwhelming corruption going on in Ethiopia. I have been trying to fight, for years, for some of my constituents who happen to have come from that country whose property was confiscated, and what happens? It goes right into the pockets of the clique that runs the country.

I would hope that Mr. Payne and Mr. Smith can get together in their legislation, and I will be very supportive. I hope that we can stand for freedom, and we can also return the property of those people whose property was illegally confiscated by that government. This legislation, on the part of these two gentlemen, is a very important step, and I would hope that we can get them together and further that cause with today's hearing.

Mr. DELAHUNT. Thank you, Mr. Rohrabacher, and I concur. We do have a series of votes, and I know that my colleagues and I, obviously, will be there to cast them, but before I leave, I want to read the resumés, in a succinct way, of this distinguished panel of witnesses so that when we return, we can go directly to your testimony.

Let me begin with Dr. Nyang. We have before us the world's leading Africanist. In his 33 years as professor and, at times, chair, at Howard University's Department of African Studies, he has written so many books on Islam and other African religions and their role in politics and on the challenges of democracy and devel-

opment in Africa and has advised so many institutions, from the United Nations to the World Bank to the Smithsonian's "African Voice" project, that I am not going to enumerate them. Dr. Nyang, we are honored to have you here to help us have this conversation.

Lynn Fredriksson is known to many Members of Congress for her role in the 1990s as Washington coordinator of the East Timor Action Network. There are not many witnesses who can come out before us with a record of having been on the front lines of a successful effort to democracy in a land of repression, but that is exactly what she did, in helping the East Timor Action Network as it led foreign position to Indonesian rule. Again, clearly, there are problems everywhere. Democracy is a constant struggle. We recognize that, those of us that participate every day.

Now, she is the advocacy director for Amnesty International, USA, an organization for which I and, I daresay, nearly every Member of Congress has enormous respect. Ms. Fredriksson, thank you for your past service and your presence here today.

Dr. Peter Pham is the director of the Nelson Institute at James Madison University and a professor in the Africana Studies Department. He is the author of numerous articles and books, including the soon-to-be-released *Africa Matters: Winning the Next Battle Against Terrorism*.

Among his many contributions to African democracy have been his participation in election-monitoring missions in Liberia and Nigeria. Professor Pham, a warm welcome.

We will recess and return as quickly as possible after the conclusion of the votes. Thank you.

[Whereupon, at 2:53 p.m., a short recess was taken.]

Mr. DELAHUNT. We are back in session, and, again, let me extend my gratitude for your patience. I am aware that my colleagues have read your individual testimonies, so as we await them—voting is still going on—why do not we proceed? Let me begin, from my right to my left, Dr. Nyang.

**STATEMENT OF SULAYMAN S. NYANG, PH.D., PROFESSOR,  
AFRICAN STUDIES DEPARTMENT, HOWARD UNIVERSITY**

Mr. NYANG. Thank you very much, Mr. Chairman. What I am going to do really is to read a paragraph just to illustrate some of the points I am making, and then I will elaborate, within the next 5 to 10 minutes, some of the key points that I believe are relevant to this discourse.

The call for human rights in African society is reverberating in the firmament of African debates about living in the 21st century and embracing the mighty hug of peace and tranquility in the post-Cold War. There are many reasons one can give for why the two countries we are looking at, Equatorial Guinea and Ethiopia, as relevant case studies for democracy and human rights in African societies.

One link that connects all of the societies is the tyranny of the political class who have failed, in many countries, to deliver the goods since the fall of colonialism and settler rule in Africa.

There is another point that needs to be emphasized here, with regard to the politics of the belly and the lack of food security in

some of these African societies, and, of course, Ethiopia will become a very interesting case for this particular discourse.

There is also the biting power of globalization and modernity in Africa. The Africans are being forced, all of a sudden, to discover what I call the “talking stone,” the cell phone, which has now become available in most parts of Africa, in spite of the low level of development in many of these societies.

The last point that I think is relevant in discussing United States foreign policy toward Africa really is the manner in which United States policymakers respond to the types of political leadership in these countries.

Now, it is against this background, therefore, that I will try to identify the points of convergence and divergence between these two countries: Ethiopia, on the one hand, and Equatorial Guinea, on the other.

One common thread that connects these two countries is the fact that you do have political tyranny connecting these two societies. In the case of Ethiopia, which is much older, you have a ruling dynasty under Emperor Selassie, which was then overturned by a revolutionary force, and you move from one kind of dictatorship or tyranny to another.

Sam Huntington, for example, described, in an earlier work, in 1969, what he called the “three modernizing autocracies.” One was Saudi Arabia, Ethiopia, and then Iran. This is the only place where Huntington scored a point, in my view, because I have challenged him in other arenas with regard to a “clash of civilization.”

With regard to this particular discourse, he suggested that these three modernizing autocracies are destined to fail because of modernization, and, in the end, there would be a revolution. It happened in Iran. It happened in Ethiopia. It failed to happen in Saudi Arabia. And, of course, scholars will debate as to why they did not have one in Ethiopia.

The point I am making here really is that there is this threat of tyranny that was continued from a monarchical tendency in Ethiopia under Emperor Selassie, who developed a mythology that goes back to Solomon, and, of course, the land of Judas, as he was called, and that legacy of tyranny was inherited by Mengestu, who disguised tyranny in the name of Marxism, and, of course, he continued to terrorize the Ethiopians until his regime was brought to an end in 1991, to be succeeded by the sitting government under Prime Minister Meles Zenawi.

So you can see that Ethiopia is going through a transformation from a royal autocracy, of Marxist autocracy, and now, in this age of democratization and human rights, a new form of autocracy, which is based on the logic that you have ethnic diversity in Ethiopia, and the only way you can put all of these Ethiopians under one particular roof is to have a tyrannical regime, a dissenter, and, of course, this has created a lot of problems in Ethiopia.

To add insult to injury, with regard to this whole quest for democratization, is the fact that in Ethiopia, at the moment, you will find a situation where the War on Terrorism has complicated the situation, and it has muddied the waters. I think American policymakers have to really examine how this history of tyranny and autocracy, in various guises, has continued, even under this new dis-

pensation, and the challenge for leadership in Ethiopia, as well as American dealers or anyone else, is to deal with that issue.

So this is one question that connects Ethiopia with Equatorial Guinea. Equatorial Guinea was colonized, of course, by the Spaniards, and, of course, this island state, with the mainland, is a very complicated situation because Equatorial Guinea, in many ways, is a land where you have the history of the pygmy and the history of the people linguists call Bantu-speaking groups, who are now very much a part of the area, and the people who came out of the West African background. They were Ebos in the 18th century who came from the mainland into Equatorial Guinea, and you have several other groups that migrated from neighboring areas like what we call now Gabon, who are part of that enclave.

So when you look at Equatorial Guinea, you find that political tyranny was very much evident in their colonial masters, and what makes the Equatorial Guineans interesting people is the fact that they are the only Afro-Latinos on the continent.

If you live in America, you know that you have various kinds of Latinos. You have Latinos from Latin America, but it does not dawn on many of us to know that we do have Afro-Latinos in this part of Africa, and Equatorial Guineans went through the same kind of tyranny because, in Spain, when they were ruled, you had a dictatorship. Salazar was ruling Portugal, and the dictatorship of the Portuguese manifested itself in former Portuguese colonies in Africa, and the dictatorship that existed in Spain was evident also in Equatorial Guinea.

So when they had independence, political tyranny continued. What people like Manzui would call "monarchical tendencies in Africa" was very much evident in the dictatorship that you have. Any collection of dictators in Africa, which includes people like Idi Amin, would certainly include Nguema of Equatorial Guinea. And, of course, his successors have continued that pattern of dictatorship and exploitation.

So there is this thread of tyranny that links together Ethiopia, an ancient civilization which is supposed to be one of the examples of symbolism for Blacks because, historically, when we talk about Blacks participating in world affairs, we identify Haiti, Liberia, and Ethiopia. These were they symbols of Black power and Black prestige in world affairs. But if you look at all three of them, they ended in disaster, and they are ridden with political violence and turmoil, and many of us do not think about this.

So that is one of the reasons why Ethiopia becomes a very interesting place to look at because if we are looking at democracy and human rights, Ethiopia provides a good model for America. It does not only have the heritage of a great civilization, but it has also served for many years as the center of the Organization of African Unity, and the African Union sees Ethiopia and Addis Ababa as the homeland of greater unity in Africa.

But you cannot solve the problem of dictatorship and democracy in Africa if Ethiopia becomes a bad case, like Haiti is seen as a bad case, and Liberia has been seen as a bad case, but Liberia is getting out of that pit, and that is something that should serve as an encouragement for those of you who are here.

One thing that is very encouraging to me about this committee here is that people have to remember history. All history caused transformation in human society done by a few, and when it becomes successful, everybody joins the bandwagon. That is why people say success has many parents; failure is an orphan, and I think that is relevant in this household today.

Now, the other point that needs to be emphasized with regard to the two countries, Equatorial Guinea and Ethiopia, is the fact that if you look at Ethiopia, Ethiopia has four advantages which one can identify in this context, in my elaboration of what I wrote.

One is Ethiopia is a big country. It has population, but Ethiopia, historically, during the Cold War was connected to the United States when President Truman talks about the northern tier in those days, and, of course, Ethiopia became very important in the Cold War of the United States, and the tragedy that developed between Ethiopia and Somalia was very much linked to that logic of the Cold War.

But Ethiopia's significance lies in the fact that it is right on the border of the Red Sea, connecting us to Saudi Arabia and the Arab world. So that is one point to take into account when we talk about democracy and development in Ethiopia.

The second thing that needs to be stated about Ethiopia is the fact that it has a huge population, but because of the politics of the belly and because of food security, America is very much linked to the feeding of many Ethiopians. The Ethiopian Government derives much of its resources from cocoa, and, of course, the \$350 million they collected from the sale of cocoa in 2006 is suddenly not adequate, and, of course, the War on Terrorism could add little bit to the Ethiopian. And, of course, this complicates matters with regard to democracy because if we are concerned about the democratic process in Ethiopia, we have to make sure that American assistance to them is not done to serve the politics of the belly of food security, but it might very well create a serious gap between the forces of democracy inside Ethiopia and, at the same time, the Somalis, who are next door. The crisis that is developing right now is very serious.

Now, if you go back in this tale of two cities—you are talking about Malabo and Addis—you find that in Equatorial Guinea they have oil, whereas the Ethiopians are dependent on American food aid, and live aid is all over Addis, and many of the other NGOs that are actively involved in Ethiopia. When you look at Equatorial Guinea, you find that in Equatorial Guinea you have a serious problem. They have money, but the money is not being used for the poor. So the politics of the belly that we talk about in Ethiopia is also evident even in the midst of wealth in Equatorial Guinea.

Those of you who live in this city know that \$800 million of Equatorial Guinea money was in the Riggs Bank here, and that was one of the major crises that developed, and this becomes a critical issue with regard to the Government in Equatorial Guinea. To what extent are they really implementing democratic principles?

One of the points that emerged in my research and my investigation is that the reports that come out of Equatorial Guinea are always marred by "however." Whenever we talk about progress being made or efforts are being made to advance the caravan of democ-

racy, we find that there are stumbling blocks with respect to a number of other countries' relations.

So when we talk about Equatorial Guinea, therefore, we must take that into account. Some of our scholars who have written about Equatorial Guinea have used some very interesting metaphors that describe Equatorial Guinea as a place where you have gangsterism, political gangsterism, and that small is not beautiful. These are metaphors and sayings that have been used to describe the situation in Equatorial Guinea.

So when I conclude this presentation, in the interest of time, what I will say to the members of this committee is that the United States Government cannot exercise moral authority in the Africa struggle for democracy if America's moral currency falls to the low level of some of these developing countries in Africa.

In other words, America's moral currency should be as strong as the dollar bill, as the chairman alluded to earlier, and even stronger than the euro, which has almost doubled its financial and moral relationship with our own during this moment of global retreat. I think that is a very important point for us to emphasize.

The second conclusion for the committee here and, hopefully, for the rest of the Congress and the country is that America's impact in the cultivation and development of democracy in Africa can gain momentum in the smaller countries of Africa only if greater efforts are made to maximize pressure on the African political class, and the benefits of economic development in these countries are carefully monitored and studied.

By developing a moral linkage between political responsibility and the financial relationships between the United States and these countries, the strategic weaknesses of these countries should be seized upon, Judo-style, to wring out favorable concessions on behalf of the democratic process. This is true only if and when U.S. politicians and leaders and diplomats mean what they say about America's commitment to democracy.

The third point is the moral currency of the United States of America in Ethiopia and in Equatorial Guinea is going to be a bone of contention in one and not the other. In the special case of Ethiopia, Ethiopia has the numbers. A large number of Ethiopians live in America. So when we look at Ethiopia, for heaven's sake, we must not see it as a distant land. We must see it as a land where you now have people who are in the diaspora. For the first time, people from the Horn of Africa are Americans, and so when American policymakers make decisions about Ethiopia, they must see it as if many Americans of Irish descent are very worried about political instability in Northern Ireland.

I think that feeling should develop, that when we make decisions here, we think about the fact that there are now diasporas from the Horn of Africa that are Ethiopians, that are Americans, and they are Somalis. They are Americans. So, as policymakers, we must put the leadership of those societies by putting their feet to the fire, and we can do it without any kind of apologies because you have your neighbors who are from the Horn of Africa.

That is a different situation, and I think this is very important. We have done it with the Cuban-Americans. They agitate on behalf

of Cuba to have democracies. Why can't we do the same thing at this juncture?

The last point I want to make with regard to this discourse is that when we talk about human rights in the region, we have to recognize the fact that the politics of the belly is going to be critical in these areas. In the case of Equatorial Guinea, they have the means, but they do not have the leadership to solve the problem of the belly. In the case of Ethiopia, they have the numbers, but the leadership is not amenable to a new kind of democracy and human rights, and this has created problems. Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Nyang follows:]

PREPARED STATEMENT OF SULAYMAN S. NYANG, PH.D., PROFESSOR, AFRICAN STUDIES DEPARTMENT, HOWARD UNIVERSITY

#### INTRODUCTION

The call for human rights in African societies is reverberating in the firmaments of African debates about living well in the 21st century and embracing the mighty hug of peace and tranquility in the post Cold War era. There are however several reasons why this is not the case. There is first the tyranny of the political class who have failed in many countries to deliver the goods since the fall of colonialism and settler rule in Africa; there is also the reality of the politics of the belly and the lack of food security; there is the resurgence of the mosquito and its collaborators in the domain of diseases and poor health in the African universe; and there is also the biting power of globalization and modernity in Africa. It is indeed against this background that one can look at U.S. foreign policy towards Africa and the role and place of human rights in this scheme of things.

The chairman has asked me to examine relations between the United States of America and the African countries of Equatorial Guinea and Ethiopia. In examining the relationship between the United States of America and two cooperative, but dictatorial, governments, the African countries of Equatorial Guinea and Ethiopia, I would also like to add to their charge the most appropriate counter-example of an uncooperative and dictatorial government in Africa. For that, I would like to consider for purposes of contrast the case of Zimbabwe. Four things deserve our immediate attention in this analysis.

The first is the historical distinctiveness of the three countries and the manner in which their relationship with the United States of America is vastly different. Zimbabwe is a former settler colony with great potentials for industrial and economic development; Ethiopia is a huge country with a large population whose futures have been affected by the lack of adequate food and growing dependency on foreign food support; Equatorial Guinea is a small state whose future has been ameliorated by the oil boom that captures American interest in this part of the African equator.

The second thing is the growing Chinese penetration of the African continent in search of oil and friends. At this juncture it makes political sense for U.S. policy makers to see this Chinese second coming to Africa as a challenge to American diplomacy and American business know-how. Zimbabwe is a country whose troubles gave fame and glory to Communist China's involvement in the building of the Tanzam railroad. Again, while focusing on this point, it should be noted that Ethiopia was also an object of attraction during the Cold War and the American resources were expended to woo and win friends in the Cold War to help eliminate a communist-linked dictatorship in that part of Africa. History in its games of ironies and paradoxes has conspired to bring President Mugabe and former President Mengestu within the Zimbabwean drama. Mugabe, be it noted, was supported in the U.S. by some Americans because of his movement's agitation against racial oppression under Prime Minister Ian Smith of Southern Rhodesia. Now he is being attacked for bringing pain and suffering to his people because he has instructed a dictatorship in his own country. Ethiopians, looking at the U.S. from abroad, may wonder about the attack on Mugabe, the host of Mengestu, and the lack of criticism of the kind of leadership in Ethiopia under Prime Minister Meles Zinawi.

The third point is the thread of political violations that links the three countries. In spite of their differences in size, history and cultural complexities, the three countries pose a serious challenge to American diplomats and politicians. There is

the need to assert America's moral currency in Africa and the new forces of globalization and globalization have made it more imperative. In a world where America's moral standing is under attack at home and abroad, it is significant for our diplomats and politicians to pay adequate attention to the human rights of other peoples. In the particular case of Africa, the Africans are asking for our involvement in their deliberate efforts to address the issues listed at the very beginning of my introduction.

The fourth point lies in the democratization drive around the world. American leaders, since the end of the Cold War, have spoken about peace dividend and the cultivation of the seeds of democracy in Africa. In all our State Department reports there is the constant use of "however" to underscore the big gap between public articulation of government messages and political realities of life in these countries. This persistence overuse of "however" has convinced me that the Hobbessian state of nature is still alive in many parts of Africa. Nasty, brutish and short captures the problems you are dealing with and my brief review will help you appreciate the monster before you and the urgency for the development of America's moral currency in Africa and beyond.

In my view, America's moral currency should be as strong as the dollar bill if not stronger. I have stated this at the White House when I addressed a group of presidential fellowships sponsored by the Center for the Study of the Presidency in 2003 and during a public lecture at Chautauqua in upstate New York in 2006. In both circumstances I made it clear that America's continuing influence in world affairs is going to depend on our consistency and persistence in the cultivation of the seeds of democracy and in our feelings and attitudes towards the humanity of others.

With this understanding I now proceed to the discussion of the three case studies under review. I will begin with the situation in Equatorial Guinea and then pursue my line of reasoning to shed ample light on Ethiopia and Zimbabwe. As a final note, I will offer a number of policy recommendations which I believe could help us in our efforts to remain credible in our affirmation of belief and action in the propagation of democracy and in the execution of the fairly well established policies of AGOA, the Millennialism Challenge Fund and others in our arsenal.

#### EQUATORIAL GUINEA

In discussing this African country one must take as his point of departure the long tradition of tyranny in this country. The rule of law is the exception not the rule. Although much has been said and done by members of the international community to promote responsible and accountable government, the dictatorship identified with Marcia Nguema in the first two decades since independence has not changed. His successors have perpetrated the same kind of tyranny. When Secretary of State Rice greeted President Obiang at the State Department in 2006 as a "good friend" of the United States, it was a friend of our mineral needs and oil industry, not of our interests in human rights and democracy.

By giving special treatment to certain governments in Africa because of oil or any other factor, the U.S. stands to lose moral authority and political effectiveness. In the eyes of many people, there is the belief that the United States government has been reticence in its advocacy of democracy in Africa when it comes to certain countries and certain political leaders. Countries that have oil tend to be treated differently and their leaders, behaving like spoiled kids, expect no reprimand and show no remorse in their acts of tyrannical rule.

U.S. diplomats have operated under these tight and repressive regimes. In State Department reports on human rights in Africa we learn about US Embassy officials organizing meetings with high-level Government officials. These American diplomats have tried to put pressure on their Equatorial counterparts for improved transparency in public finance and in the management of the oil sector. Over the last three years some progress has been noted by U.S. officials. In support of this view is the government's commitment to transparency by working with the World Bank to qualify for participation in the Extractive Industries Transparency Initiative. Commitment was also made to seek participation in the G-8 Transparency and Good Governance Initiative.

Those who are critical of the performance of the government of Equatorial Guinea do not see any significant breakthrough in the diplomatic efforts to minimize if not eliminate repression and torture in this country. It is true that U.S. diplomats have remained active in their desire to promote democratization through talks with the Government, the opposition, the media and the community representatives. Between October 2003 and now, the U.S. diplomats have sought means of bringing life to civil society. This desire to effect political change, in my view, is a difficult task given the Government's allergies to human rights and its unwillingness to respect

the rights of citizens and foreigners. The rights of the citizens of this country are violated almost anytime because of the anxieties and fears of those in government. Although efforts have been made to process the planting of the seeds of democracy and the rule of law through the creation of a university in Malabo, it is too early and too premature to bank heavily on such a new development. Creating partnership between the university and American colleges and universities could be helpful, but the tyranny of the leadership in Equatorial Guinea should force us to take this pill of optimism with a grain of salt. Equally noteworthy are the attempts to engage corporate America, particularly those operating in the oil industry, in the promotion and affirmation of the U.S. Embassy message "on the importance of transparency, rule of law and respect for human rights, and worked with international organizations to further reinforce the message"

#### ETHIOPIA

In writing about the situation in Ethiopia one must recognize three things that have serious consequences for American foreign policy over there. The first rests on the traditional belief that this part of the Red Sea is inextricably linked to U.S. interest on the Arabian Peninsula and the larger Arab World. This was definitely the logic that governed our Cold War policies. The second reason why America's moral currency needs to be fully protected and advanced over here lies in the fact that America's involvement in the lives and politics of peoples of the Horn of Africa has created African diasporas in this country never thought possible in the post World War II period. Today, thousands of Ethiopians, Somalis and Sudanese are part of the American experience. Connected to them at home and abroad, U.S. policy makers should pay close attention to the democratic process in these countries and whenever and wherever possible, much pressure should be applied to the leaders of this region. As stated above, it was America's involvement in the bloody civil wars of the Horn of Africa that led to a number of good and bad experiences. The rise and fall of Mengistu in Ethiopia led not only to the demise of thousands of people, but it planted a dangerous dictatorship and stripped the land of fertile grounds for democratic cultivation. Mengistu is now celebrating his seventieth birthday in Zimbabwe, although he is still a wanted man in Addis Ababa where he ruled ruthlessly until he fled in 1991 with the support and welcome of Robert Mugabe. The Ethiopian high court condemned and sentenced him in February this year and would like him to be brought to justice. This is not likely to take place because both the Ethiopian government and the Mugabe regimes are seen in many human rights circles as political lepers. Such a malady cannot be solved by such personalities; rather, if change is to take place, the two contending forces in African and foreign eyes need to be removed from the scene. Such a regime change is unlikely. What can best be done by the U.S. government is to put pressure on all culpable parties in Africa through consistency and persistence. If the three case studies here are to be listed as bad, worse, worst and the Equatorial Guinea is the worse and Zimbabwe is the worst, then in the Ethiopian context, American policy makers should take into account how to put greater pressure on the Ethiopian government in the administration of justice and in the creation of bridges of peace between ethnic groups and religious communities in that country.

I am aware of efforts being made to build bridges between religious groups over there and in the Ethiopian Diaspora and some progress has been made. However, while acknowledging this state of affairs, I should hasten to add that the democratic progress in this country is handicapped by the violent nature of the political competition between the government and its opposition. Unless and until the U.S. reconciles its strategic interest in Ethiopia with its claim for democracy in the region, factors such as cooperation with the U.S. military and the CIA in the war against international terrorism and the prospects for oil in Ethiopia could muddy the waters and damage any serious claim of moral currency for the United States of America.

This consideration is critical because not only are our politicians and diplomats working on matters affecting peoples of the Horn of Africa over there, but their actions and operations reverberate in the firmaments of Diaspora debates. And this too affects the remittances going there and the political climate that rules life over there as well. To remove the veil of fear and to address the politics of the belly in Ethiopia, Equatorial Guinea, and Zimbabwe, the moral currency of the United States of America must be backed by a combination of all the resources at America's disposal. What are these resources? They are the economic might of the country and the military and cultural status of the people since America rose to global prominence after the First World War. It is only through such demonstration of moral consistency and political determination to support the cause of those struggling to

build up new democracies that America can regain the lost moral high ground because of the negative consequences of the war in Iraq.

Although the Chairmen did not ask me to address the question of Zimbabwe, I have decided to give you a slice of reality in this uncooperative country. I intend to use it as a counterpoint to the arguments I am making. I think it is dangerous and unwise for us to propagate democracy and human rights if we fail to do a tale of two cities. Harare and Addis Ababa have much in common. Some of these details and historical parallels discussed below should be helpful.

#### ZIMBABWE

In addressing the question of Zimbabwe in this testimony, let me identify five points to remember in our assessment of this country. As stated above, history in its effective use of ironies and paradoxes has created a situation in which President Robert Mugabe of Zimbabwe and former President Mengistu Haile Mariam of Ethiopia are ideological stars in a fading drama. Caught in the web of the old Cold War African radicalism, these two gentlemen are aging politicos whose love for power and common desire to survive the hurricane of democratic change and reform have combined to make them the sources of greater venom in their countries and abroad. These two men are perceived at home and abroad as dictators. One is the beneficiary of the war against settler colonialism, the other rose to power riding the horse of Cold War antagonism between the United States of America and the Soviet Union. Now that we are trying to influence the cause of democratization in Zimbabwe we must demonstrate moral consistency and political sagacity in our treatment of Mugabe and his political foes. Caught in the middle of this fray with our ambassador playing a critical role in beating back the forces of political mal-administration in that country, it is imperative for the U.S. government to make certain distinction. It should not allow the tyranny of Mugabe to be treated more seriously than the political tyranny of the government of Ethiopia or Equatorial Guinea. By not remaining morally consistent and by allowing other factors to color their thinking, U.S. diplomats and politicians could fail in the new effort to bring democratic rule to Zimbabwe.

The second point to note here is the collapse of the Zimbabwean economy and the consequences of such collapse for the democratic process. Truth be known, the Mugabe regime is not likely to be deterred by this phenomenon. Most of the African and foreign journalists writing on the crisis in Zimbabwe have lamented this unfortunate state of affairs. One Nigerian journalist, Eucharia Mbachu, described him as follows: "He was the darling of the left, the liberals in the West and in many parts of the world when apartheid ruled supreme in South Africa and Ian Smith called the shorts in southern Rhodesia. Mugabe's claim to fame was due to his numerous college degrees and his audacity to be a strong black man willing to suffer the telling, and at times violent, blows of white racism in his homeland."

This characterization of Mugabe is relevant in our assessment because America's attempt to win and influence people in Africa and beyond must grapple with this image of the man and his country. As the third point in my discourse, I would argue that if we are to score some points and effect change on the path towards African democratization, moral consistency and willingness to put the feet of both Mugabe and others equally guilt to the fire, regardless of whether their countries have oil or not, should be widely noted. Searching through the internet one comes across blogs and writers sympathetic to Mugabe. Their arguments are always based on America's double-standard and a racial tinge is often attributed to the language of the anti-Mugabe. Real or imagined, such ideological verbiage could be effectively handled if we apply the same rule to Mugabe as we do to Meles Zinawi and his counterpart in Equatorial Guinea.

The fourth point about Mugabe and Zimbabwe is the status he has enjoyed over the years as a senior liberation veteran. Because he is older than Thabo Mbeki of South Africa and many of the other political leaders in southern Africa and beyond, he has taken full advantage of this seniority to cajole and bamboozle those who are bold enough to challenge him and opposed his decision to stay in power. Unwilling to go the way of respect President Nelson Mandela Robert Mugabe has stayed on course. Even the recent meeting in Tanzania failed to make a dint. Even talks of secret meetings between his former colleagues in the party and in the military have not shaken him. In order for the U.S. to make some breakthrough, President Mugabe must come to realize that there is moral consistency. This is a tall order and events of the last decade have not provided us with any guide to the politically perplexed in Zimbabwean affairs.

The fifth and last point is that President Mugabe is vulnerable politically but the destiny and political and economic situation of Zimbabwe ironically makes the coun-

try more vulnerable than the man. In the scale of history, the man called Mugabe could go to his grave anytime soon; however, the eruption of violence in Zimbabwe could wreak havoc to that land. Already the country has lost over a million people to forced migration. The old question of brain drain in Africa has become a Zimbabwean joke of the century. There are more Zimbabwean nurses in British hospitals than in suffering Zimbabwe. The Zimbabwean currency has fallen so low that many Zimbabwean have abandoned any attempt to equate financial power through local currency with moral status in the new reality of an African version of the Hobbesian state of nature.

In concluding this brief case study of Equatorial Guinea, Ethiopia, and Zimbabwe in the form of a testimony before the U.S. Congress, let me stating the following:

1. The United States government cannot exercise moral authority in the Africa can struggle for democratic rule if America's moral currency falls to the low level than we now lament about Zimbabwe's own currency. In other words, America's moral currency should be as strong as the dollar bill and even stronger than the Euro which has almost double its financial and moral relationship with our own during our moments of global moral retreat.
2. The second conclusion is that America's impact in the cultivation and development of democracy in Africa can gain momentum in the smaller countries of Africa only if greater efforts are made to maximize press on the African political class and the benefits of economic development in these countries are carefully monitored and studied. By developing a moral linkage between political responsibility and financial relationship between the U.S. and these countries, the strategic weaknesses of these countries should be seized upon judo-style to wring out favorable concessions on behalf of the democratic process. This is true only if and when U.S. politicians and diplomats mean what they say about America's commitment to democracy.
3. The moral currency of the United States of America in Ethiopia and Zimbabwe is going to be a bone of contention in one and not the other. In the special case of Zimbabwe, the forces and factors identified above have made it important for American diplomats and politicians to recognize the limits of the present mode of engagement with Mugabe. Unless and until we explore other sources of dealing directly or indirectly with President Mugabe, chances are the situation will continue to deteriorate. With millions of Zimbabwean people on the run and with many lives at stake, America has a serious challenge in its hands. Something must be done in Zimbabwe and America has to exploit all avenues of diplomacy and political sagacity to return the peace and tranquility than came to this country after many years of turmoil against Prime Minister Ian Smith and his declaration of Southern Rhodesia as an independent country. Interestingly, we have come back to our original point of departure. To move beyond Ian Smith and Mugabe, America must be fully engaged next time in Zimbabwe. The land question and all the issues that are used to blame America's lack of moral currency will not disappear. True and serious application of moral consistency and persistence will regain our moral stature in southern Africa and beyond.

Mr. DELAHUNT. Thank you, Professor.  
Next, let me go to Ms. Fredriksson.

**STATEMENT OF MS. LYNN FREDRIKSSON, ADVOCACY  
DIRECTOR FOR AFRICA, AMNESTY INTERNATIONAL USA**

Ms. FREDRIKSSON. Thank you, Chairman Delahunt; thank you, Chairman Payne and other distinguished members of the two sub-committees that are holding this important hearing today, for allowing Amnesty International to discuss our ongoing concerns about human rights violations and United States policy on Ethiopia and Equatorial Guinea.

I also, in respect for time, am going to make brief remarks based on a longer written testimony and hope that that written testimony can be more fully entered into the record.

Mr. DELAHUNT. Without objection.

Ms. FREDRIKSSON. I will begin with Equatorial Guinea. Since the mid-1990s, Equatorial Guinea, a nation of half a million people,

has experienced robust economic growth due to the discovery of vast oil and natural gas reserves and a multi-billion-dollar international investment endeavor as export earnings from oil in Equatorial Guinea average about \$7 billion annually.

Today, Equatorial Guinea produces approximately 420,000 barrels of oil per day, but despite the vast revenues generated from the oil and gas, the misery of the majority of the people in Equatorial Guinea has also only intensified. Figures from the United Nations Development program indicate that Equatorial Guinea has the lowest human-development index rating in the world in relation to its per capita GNP. Even in the major cities of Malabo and Bata, more than 60 percent of the population has no running water or access to electricity, and that percentage of people also make less than \$1.00 a day. In fact, Transparency International rates Equatorial Guinea ninth in corruption worldwide.

The country lacks a functioning health care system, and the educational system is hobbling on a decrepit infrastructure.

President Obiang and his extended family have been the beneficiaries of the national revenue and are reportedly still sheltering large sums of money in foreign countries, including the United States. In its most recent country report, the Bureau of Democracy, Human Rights, and Labor has said, "The government's human rights record remained poor, and the government continued to commit and condone serious abuses."

I will now briefly report on a number of specific types of violations under the Universal Declaration of Human Rights and other international conventions and protocols ratified by Equatorial Guinea.

Regarding forced evictions, in 2006, the combination of pressure on land, government programs to rehabilitate major cities and infrastructure, and lack off security of land tenure led to several mass forced evictions, carried out without consultation, compensation, or due process. Hundreds of homes were destroyed in Malabo, and hundreds more families were at risk of forced eviction in both Malabo and Bata.

Regarding arrests and detentions, although there were fewer arrests of political opponents in 2006 than in previous years, at least 14 prisoners of conscience continue to be held, including one held without charge or trial since 2003. Members for the Convergence of Social Democracy and other political activists were arrested and briefly detained. Police in Bata arrested four members of the banned Progress Party of Equatorial Guinea. I want to mention one individual, Jose Ngua, who is known to have died in police custody, apparently as a result of torture.

All of those currently detained at Black Beach prison are denied access to medical treatment, after an apparent change in policy in late 2006. Conditions in the prison had slightly improved last year, but that has changed.

We are concerned particularly about two prisoners, Guillermo Ela and Donato Ondo Ondo, whom Amnesty considers a grave risk of injury, and other prisoners are being denied medical care as well. Denying sick prisoners access to qualified medical officials contravenes the U.N. Standard Minimum Rules for the Treatment of Prisoners.

Regarding combating corruption, alleviating poverty, and managing oil revenue, Equatorial Guinea's oil revenues enrich the President and his family when they should be going to alleviate poverty. In 2004, a Senate investigation uncovered over \$700 million of the country's revenues accounts, as has been mentioned, at Riggs Bank. President Obiang himself is believed to have transferred over \$16 million from state to personal bank accounts.

In April of last year, the IMF reported that the Government of Equatorial Guinea still held offshore accounts for oil revenues worth \$718 million, while the Securities and Exchange Commission has been investigating United States oil companies' potential involvement in Equatorial Guinean corruption under the Foreign Corrupt Practices Act.

Clearly, measures to ensure transparency and accountability in the proper management of oil revenues is critical to genuine poverty alleviation and, therefore, essential to protecting the economic, cultural, and social rights of the people of Equatorial Guinea.

I want to mention briefly the Social Development Fund. Obviously, in principle, it is a good thing. Equatorial Guinea had promised \$15 million over 5 years to support USAID technical assistance on primarily health and education, but we are talking about approximately 1 percent of the oil revenue of Equatorial Guinea. This is a drop in the bucket, and it has also not yielded genuine results to date.

In conclusion on Equatorial Guinea, bringing United States foreign policy in line with human rights concerns, given that it is the third largest oil-producing country and the fourth largest beneficiary of United States foreign direct investments, mainly in oil and gas, in sub-Saharan Africa, and that two-thirds of the 420,000 barrels of oil produced daily in the EG are actually exported to the United States, we are particularly concerned that ExxonMobil and Marathon Oil signed new confidentiality clauses with Equatorial Guinea when we need transparency and accountability to increase there.

Despite all of the above-mentioned concerns, the U.S. Government has recently chosen to resume military assistance, and the President's request for Fiscal Year 2008 foreign operations includes \$45,000 in IMET training.

With a new Ambassador in Equatorial Guinea, and this after 11 years, we feel that there is a real opportunity here to hold President Obiang accountable for his promises regarding improvements and to monitor democratization, human rights, and transparency-related issues. I will not go into the list, but we do have a list of specific recommendations for the U.S. Government on Equatorial Guinea that are included after that section.

Now, on Ethiopia and the United States foreign policy response, I will not go into great detail on the history. These subcommittees and your membership are very well aware, and we are very grateful that you are very well aware, of the conditions in Ethiopia, but just to review for one moment, in early 2005, leading up to the May 15th elections, Ethiopia appeared to have turned a corner in its respect for codified international human rights norms.

Prime Minister Zenawi sat on Tony Blair's Commission for Africa, which considered an array of issues related to political trans-

parency and accountability, economic development, anticorruption measures, human capacity building, and enhancement of human rights in Africa. Ethiopia was even allowing some limited international press access and some limited space for opposition parties prior to the elections.

However, since the disputed 2005 elections, around which accusations of electoral fraud emerged and mass demonstrations as well, political repression has greatly increased. In several days of demonstrations, as you are well aware, there were approximately 187 people killed in June and November 2005 and another 765 wounded.

Again quoting the Bureau of Democracy, Human Rights, and Labor on Ethiopia, this Bureau notes that there have been, over the last year, unlawful killings and beating, abuse, and mistreatment of detainees and opposition supporters by security forces; poor prison conditions; arbitrary arrest and detention, particularly of those suspected of sympathizing with or being members of the opposition; restrictions on freedom of the press; restrictions on freedom of assembly and association; and discrimination against religious and ethnic minorities, and this is from our own State Department report.

Amnesty International has been particularly closely following the course of the trials subsequent to these arrests in Addis, and we see them as a window into the overall conditions of human rights in Ethiopia today. All who have been on trial were arrested in November 2005 and have now been in prison for over 18 months.

Separately from these trials, a parliamentary inquiry was established in December 2005 to investigate the same disturbances. It initially concluded that the security forces had used excessive force. However, as you know, and Mr. Payne and Mr. Honda hosted a number of the brave individuals who were willing to go forward with the real results of the report last year, including Mr. Feruwat, these individuals have come to Washington, and they were threatened, and they left the country because they were asked to change the nature of their findings. They were more than asked; they were coerced, and some of them refused to do so.

The remaining members endorsed the report accepted by the Parliament in October that the actions of the security forces had been "legal and necessary." No member of the security forces has been arrested or charged with any offense.

I also want to mention that conditions in Kaliti Prison, the primary prison, right outside of Addis Ababa, are harsh and severe. Overcrowding, inadequate sanitation, and poor hygiene are descriptive of those conditions. Correspondence is prohibited, and private consultation with lawyers for most of the prisoners has not been allowed.

While Amnesty has welcomed the release of several prisoners of conscience, who included seven of the 14 journalists from the private media, this is not enough. Of an initial list of 111 defendants, 76 have been on trial since May 2006. On April 10th of this year, 28 defendants were freed when the judges ruled they had no case to answer after the prosecution had presented its case. This is very interesting, in and of itself: There was a difference in the court.

Charges of treason and “attempted genocide,” which had been laid against most CUD officials were all withdrawn, and other charges were withdrawn from some defendants.

Amnesty is still also concerned about three other concurrent trials that have received less attention than the primary trial, which are proceeding in Addis and include other POCs, including Parliamentarian Kifle Tigneh. Judges have ignored complaints by several co-defendants in this trial that they were tortured.

I want to mention just a few of the names we are talking about: Human rights defenders; academics, who have also taught in the United States; journalists; and parliamentarians, including Dr. Berhanu Negga, Dr. Yakob Hailemariam, Ms. Birtukan Mideksa, Professor Mesfin Woldemariam, and the two civil society activists, Daniel Bekele and Netsanet Demissie.

I also just want to run through very, very quickly the additional litany of areas of human rights violations or human rights concerns in Ethiopia, which include discrimination against minority groups, including, in the Oromia region, discrimination of those accused of having connections with the ONLF; in the Somali region, attacks or arrests of those among the Anuak ethnic group in the Gambela region; and also 60 peaceful protestors belonging to the Sidama ethnic group were arrested in Awassa last year.

Obviously, we have to take into account the presence in Somalia. Amnesty International has recently called on the U.N. Security Council to protect civilians in Somalia. What does this have to do with Ethiopia? The transitional government clearly is backed and supported and works directly with Ethiopian troops, and we are now talking about 1,000 killed since February of this year, civilians in the Mogadishu area. We are also talking about approximately 300,000 displaced in the same area. This is fully a third of the population of Mogadishu.

Ethiopian troops have been accused of indiscriminate shelling in highly populated areas, leading to the hundreds of deaths and mass displacement in the area.

We also need to take into account detention of foreign nationals fleeing Somalia. The Ethiopia authorities have acknowledged detaining 41 of more than 80 people who were arrested trying to cross from Somalia into Kenya in January 2007.

Amnesty is particularly concerned about Bashir Maktal, who we are concerned could be coerced into confession through torture or ill treatment, and he is being held incommunicado in the Central Investigation Bureau, and two Eritrean journalists as well, who had appeared on Ethiopian television. They and others have no access to legal counsel or their families and have not been charged with any offense.

We do not want to ignore the border disputes, the fact that Ethiopia had agreed to, but is unwilling to enforce, the border dispute and that this could have, if it erupted into outright conflict on the border, very serious human rights consequences, potential for mass abuses of human rights and humanitarian law. Uncertainty and threats of violence in the region have already affected the livelihood, health, and right to movement of local populations on both sides of the border.

To conclude, I think the fundamental message I would like to leave here today regarding Ethiopia is that the United States foreign policy needs to take a regional approach to Ethiopia. We cannot look at Ethiopia in isolation. The United States and other Western powers have given the government fairly free rein to perpetrate serious human rights violations, with no political or economic consequences. Ethiopia has developed close ties, by way of relief and development assistance, military cooperation, and growing United States-led counterterrorism operations in the region.

Consecutive U.S. administrations have preferred to conduct foreign policy with the cooperative and stable regime in Addis despite clear signs of disturbing trends toward political centralization, repression, shrinking political space for civil society, and an incapacity or unwillingness to resolve ongoing conflicts with the politically marginalized groups.

The U.S. Government has consistently and unquestioningly provided the range of assistance to the Government of Ethiopia that ranges beyond economic support funds, child survival and health, transition initiatives, and other important funding that includes FMF and IMET as well, and United States foreign policy's focus on counterterrorism has played a significant role.

Given the close and longstanding relationship the U.S. Government policymakers have enjoyed with the Government of Ethiopia, we are left to assume that they may have chosen to ignore universally recognized human rights norms in exchange for military bases, political intelligence, and a facade of national stability.

We also have a list of recommendations specific for the U.S. Government on Ethiopia. Thank you.

[The prepared statement of Ms. Fredriksson follows:]

PREPARED STATEMENT OF MS. LYNN FREDRIKSSON, ADVOCACY DIRECTOR FOR AFRICA,  
AMNESTY INTERNATIONAL USA

Chairman Lantos, Chairman Delahunt, Chairman Payne, distinguished Members of the Subcommittee on International Organizations, Human Rights, and Oversight, the Subcommittee on Africa and Global Health, and the full Committee on Foreign Affairs, thank you for holding this important joint hearing and for allowing Amnesty International the opportunity to discuss serious ongoing concerns regarding human rights violations in and U.S. foreign policy on Ethiopia and Equatorial Guinea.

*Introduction: What Has Happened to Political Freedom and Human Rights Protections in Ethiopia and Equatorial Guinea?*

I have chosen to begin with this question because much of what I'm about to report will fly in the face of the seeming success stories—in Equatorial Guinea which has risen above a legacy of corruption and violent repression to work with USAID to create the Social Development Fund, and in Ethiopia which cooperates so well with the U.S. on military and counter-terrorism operations. But the recent human rights record of neither country lives up to their positive reputation. Does this mean that the U.S. government lets its close economic and political partner nations off the hook on human rights in Africa? Are human rights concerns sometimes trumped by oil interests or plans to counter terrorism?

#### HUMAN RIGHTS IN EQUATORIAL GUINEA AND U.S. FOREIGN POLICY RESPONSE

##### *Ongoing Political Repression in Equatorial Guinea*

Since the mid-1990s Equatorial Guinea, a nation of half a million people, has experienced robust economic growth due to the discovery of vast oil and natural gas reserves and a multi-billion dollar international investment endeavor. The IMF and the U.S. Department of Energy have estimated that the country holds between 1.77 and 2.5 billion barrels of oil equivalent (BOE) and between 1.3 and 4.4 trillion cubic feet of gas reserves. Today Equatorial Guinea produces approximately 420,000 BOE

per day, and over 45 billion cubic feet of natural gas annually. Despite the vast revenues generated from oil and gas, the misery of the majority of people in Equatorial Guinea has intensified. Figures from the United Nations Development program indicate that Equatorial Guinea has the lowest Human Development Index rating in the world in relation to its per capita GNP. Even in the major cities of Malabo and Bata, more than 60% of the population has no running water or access to electricity. The country lacks a functioning healthcare system, and the educational system is hobbling on a decrepit infrastructure left from the colonial era.

President Theodoro Obiang Nguema and his extended family have been the beneficiaries of the national revenue and are reportedly still sheltering large sums of money in foreign countries, including the United States. In addition, according to reports from the U.S. Department of State and Freedom House, as well as Amnesty International, the Government of Equatorial Guinea continues to engage in significant human rights violations, acts with impunity, and is fundamentally corrupt, undemocratic and unaccountable to its citizens. Multinational corporations conducting business with President Obiang willfully ignore the impact of their economic engagement in Equatorial Guinea and their role in enabling the worst offenses of its regime. In its most recent Country Reports on Human Rights Practices, the U.S. Department of State's Bureau of Democracy, Human Rights, and Labor reported about Equatorial Guinea, "The government's human rights record remained poor, and the government continued to commit and condone serious abuses."

I briefly report a number of specific types of violations under the Universal Declaration of Human Rights and other international conventions and protocols ratified by Equatorial Guinea.

#### *Forced Evictions*

In 2006 the combination of pressure on land, government programs to rehabilitate major cities and infrastructure, and lack of security of land tenure led to several mass forced evictions, carried out without consultation, compensation or due process. Hundreds of homes were destroyed in Malabo, and hundreds more families were at risk of forced eviction in Malabo and Bata.

But the threat to forcibly evict over 360 families from their homes in Malabo on January 2, 2007 was not carried out. This was due to the pressure exerted by international appeals, according to a resident of one of the communities under threat, La Vigatana. In a meeting on January 17, the Minister of Infrastructure and Urban Development reportedly reassured La Vigatana residents that they would not be evicted until the new area was ready and the residents had built their new houses in Basapú. However, plots have not yet been allocated, and it is not clear whether residents will receive the same total amount of land they currently have.

So far there has been no discussion or negotiations regarding security of tenure or property titles. Residents have not been compensated for any losses nor have they been consulted about a just valuation of their properties including houses and land, which the authorities have carried out unilaterally.

#### *Arrests and Detentions*

Although there were fewer arrests of political opponents in 2006 than in previous years, at least 14 prisoners of conscience continued to be held, including one held without charge or trial since 2003. Members of the Convergence for Social Democracy (CPDS) and other political activists were arrested and briefly detained. In October police in Bata arrested four members of the banned Progress Party of Equatorial Guinea. They were arrested at home without warrants. They were released without charge in mid-November. One person, Jose Meviane Ngua, was known to have died in police custody, apparently as a result of torture. Fernando Esono Nzeng was publicly executed in April.

All of those detained at Black Beach prison are currently denied access to medical treatment, after an apparent change in policy in late 2006. Conditions in Black Beach prison had improved slightly at the end of 2005 as a result of the opening of a new wing and regular visits by the International Committee of the Red Cross.

At least 35 prisoners of conscience (POCs) and political prisoners at Black Beach prison in Malabo. The precise number of prisoners held at the prison or the state of health of all of them is unknown, but it is reported that many suffer from chronic conditions for which they receive no medical care. Two of the prisoners, Guillermo Nguema Elá and Donato Ondó Ondó, whom Amnesty International deems to be prisoners of conscience, are known to be seriously unwell as a result of chronic ailments, poor prison conditions and the refusal of the prison authorities to provide them with medical care. Amnesty International is gravely concerned about their health, and fears that their lives, and those of other prisoners, may be at risk. De-

nying sick prisoners access to a qualified medical officer contravenes the UN Standard Minimum Rules for the Treatment of Prisoners.

*Combating Corruption, Alleviating Poverty and Managing Oil Revenue*

Equatorial Guinea's oil revenues enrich the President and his family when they should be used for poverty alleviation. While Equatorial Guinea has the second highest per capita income in the world, more than half its population is unable to access potable water. In 2004 a Senate investigation uncovered over \$700 million of the country's revenues in accounts at Riggs Bank. President Obiang himself is believed to have transferred over \$16 million from state to personal bank accounts.

In April of last year the IMF reported that the Government of Equatorial Guinea still held offshore accounts for oil revenues worth \$718 million, while the Securities and Exchange Commission has been investigating U.S. oil companies' potential involvement in Equatorial Guinean corruption under the Foreign Corrupt Practices Act. Additionally, President Obiang's son, the Minister for Forestry and Environment, sold a mansion in Los Angeles for \$7.7 million in 2004, and the President himself owns mansions worth \$2.6 million and \$2.0 million in Maryland.<sup>1</sup>

Clearly measures to ensure transparency and accountability in the proper management of oil revenues is critical to genuine poverty alleviation, and therefore essential to the economic, cultural and social rights of the citizens of Equatorial Guinea.

*The Social Development Fund*

In 2006 USAID and the Government of Equatorial Guinea agreed to establish a Social Development Fund for the country. Equatorial Guinea was expected to give \$15 million over 5 years for USAID to provide technical assistance to support implementation of projects primarily on health and education. Although a good idea in principle, the Fund—which amounts to 1% of Equatorial Guinea's annual oil revenue—has not yielded any noticeable improvements and represents a drop in the bucket when compared with total revenue.

*Bringing U.S. Foreign Policy on Equatorial Guinea in Line with Human Rights*

Equatorial Guinea is the third largest oil producing country and the fourth largest beneficiary of U.S. foreign direct investment (mainly in oil and gas) in Sub-Saharan Africa. Two-thirds of the 420,000 barrels of oil produced daily in EG are exported to the United States. The main oil companies present in the country are ExxonMobil, Marathon, and Amerada Hess, all U.S.-based corporations. Of particular concern, ExxonMobil and Marathon Oil signed new confidentiality clauses with Equatorial Guinea last summer.<sup>2</sup>

Despite all of the above mentioned concerns, the U.S. Government has recently chosen to resume military assistance to Equatorial Guinea, and the President's request for FY08 foreign operations appropriations includes \$45,000 in International Military Education and Training (IMET) funding.

With a new Ambassador to Equatorial Guinea (the first in 11 years) the U.S. Government has a unique opportunity to monitor expected improvements in democratization, human rights and social welfare, and to positively influence the government of President Obiang to carry out promised improvements more consistently and vigorously.

*Recommendations for U.S. Policy on Equatorial Guinea*

Given vast U.S. oil investments, the U.S. government has a responsibility to play a much more constructive role in combating corruption, alleviating poverty and promoting human rights. The U.S. Government should strongly and publicly urge the Government of Equatorial Guinea to:

- take demonstrable steps to ensure the return and legalization of political opposition and professional associations; and
- improve conditions for the creation and participation of local civil society organizations working for human rights, transparency and accountability.

The U.S. Government should furthermore:

- actively support civil society and human rights initiatives in Equatorial Guinea;

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<sup>1</sup> Amnesty International would like to acknowledge the research and analysis of Publish What You Pay and Global Witness, with whom AIUSA works closely on human rights advocacy on Equatorial Guinea.

<sup>2</sup>Ibid.

- strongly urge the Government of Equatorial Guinea to create and implement a transparent revenue management system (drawing on 2005 and 2006 IMF recommendations);
- outline benchmarks to measure progress made by the Government of Equatorial Guinea toward greater fiscal transparency and accountability, and respect for universally recognized human rights standards;
- condition further U.S. military assistance (including IMET) on the full compliance of the Government of Equatorial Guinea with universally recognized human rights standards;
- actively support the reinstatement of a UN Special Rapporteur to monitor human rights conditions in Equatorial Guinea; and
- bring its overall foreign policy objectives in line with its stated concerns for human rights and democratization in Africa.

*Human Rights in Ethiopia and the U.S. Foreign Policy Response*

In early 2005, leading up to the May 15 elections, Ethiopia appeared to be turning a corner in its respect for codified international human rights norms. Prime Minister Meles Zenawi sat on Tony Blair's Commission for Africa, which considered an array of issues related to political transparency and accountability, economic development, anti-corruption measures, human capacity building and the enhancement of human rights in Africa. The Government of Ethiopia was allowing some—albeit limited—international press access and space for political opposition rallies, particularly in Addis. Yet since the disputed 2005 elections, around which accusations of electoral fraud emerged alongside mass demonstrations in protest, political repression greatly increased.<sup>3</sup> In several days of demonstrations in June and November 2005, government security forces shot and killed 187 people and wounded 765, including 99 women and several children. Six police officers were also killed in clashes with demonstrators.

In its most recent Country Report for Ethiopia, the U.S. Department of State's Bureau of Democracy, Human Rights, and Labor reported human rights abuses including: unlawful killings, and beating, abuse, and mistreatment of detainees and opposition supporters by security forces; poor prison conditions; arbitrary arrest and detention, particularly of those suspected of sympathizing with or being members of the opposition; restrictions on freedom of the press; restrictions on freedom of assembly and association; and discrimination against religious and ethnic minorities, among other human rights violations.

Amnesty International has been closely following the subsequent trials in Addis Ababa as they are a window into overall human rights conditions in Ethiopia. All who have been on trial were arrested in November 2005 and have now been in prison for over 18 months.

Separately from these trials, a parliamentary inquiry was established in December 2005 to investigate the same disturbances. It initially concluded that the security forces had used excessive force. However, as you know, the chair and vice-chair of the inquiry fled the country after receiving threats aimed at making them change their findings. The remaining members endorsed a report accepted by the Parliament in October 2006 that the actions of the security forces had been "legal and necessary." No member of the security forces has been arrested or charged with any offense.

Defendants are being held in different sections of Kaliti prison on the outskirts of Addis Ababa. Conditions in the worst sections are harsh, with severe overcrowding, inadequate sanitation and poor hygiene. Correspondence is prohibited and private consultation with lawyers is not allowed. However, families can send food, books and small items.

The principle remaining charge against these detainees is "outrages against the constitution."<sup>4</sup> Several Coalition for Unity and Democracy (CUD) defendants are also still accused of "obstruction of exercise of constitutional powers" and "impairing the defensive power of the state." The charge of "inciting or organizing or leading armed rebellion" has been withdrawn from most defendants.

Also separate from the trials is the likelihood that Prime Minister Meles Zenawi and the Ethiopian People's Revolutionary Democratic Front (EPRDF) have been attempting to conflate criticism of their incursion/presence in Somalia with opposition

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<sup>3</sup>As reported by Amnesty International, Human Rights Watch and the U.S. Department of State, these violations included mass arbitrary arrests and detentions, torture, extrajudicial killings, repression of ethnic minorities, intimidation of students and teachers, suppression of press freedom, and the less reported practice of targeting peaceful political opposition in the countryside.

criticism of the regime overall. The EPRDF is also reportedly intensifying its censorship of Ethiopian press once again, including blogs.

*CUD Trials and Prison Conditions in Addis Ababa*

One year after their trial opened in Addis Ababa on May 2, 2006, 48 members of the opposition Coalition for Unity and Democracy (CUD) party, human rights defenders and journalists are still in prison. Most charges carry possible death sentences. They are on trial for allegedly inciting violence in opposition demonstrations in 2005 protesting alleged electoral fraud.

Amnesty International welcomes the release of several prisoners of conscience, who included seven of the 14 journalists from the private media, one of whom, Serkalem Fasil, was six months pregnant when arrested and denied adequate medical care, and Kassahun Kebede of the Ethiopian Teachers Association. Several other CUD members were also released.

Of an initial list of 111 defendants, 76 had been on trial since May 2006, with 25 exiles being tried in their absence. On April 10, 2007, 28 defendants were freed when the judges ruled they had no case to answer after the prosecution had presented its case.

Charges of treason and “attempted genocide” which had been laid against most CUD officials were all withdrawn. Other charges were withdrawn from some defendants. Five exiles still remain on trial in their absence.

Amnesty International is also concerned about three other concurrent and related trials which are proceeding in Addis Ababa against dozens of other CUD members, some of whom are or may be prisoners of conscience, including POC and elected Parliamentarian Kifle Tigneh. Judges have ignored complaints by several co-defendants in this trial that they were tortured.

Amnesty International reiterates its call for the immediate and unconditional release of those defendants whom it considers to be prisoners of conscience, who have not used or advocated violence and were peacefully exercising their right to freedom of expression, association and assembly, as guaranteed by the Ethiopian Constitution and international human rights treaties which Ethiopia has ratified.

These POCs include:

- CUD leaders, some of whom were elected to the federal parliament or Addis Ababa city assembly, including Dr. Berhanu Negga, an economics lecturer; Dr. Yakob Hailemariam, a law professor and former UN prosecutor for the International Criminal Tribunal for Rwanda; Ms. Birtukan Mideksa, a lawyer and former judge; and retired geography Professor Mesfin Woldemariam, founder and former president of the Ethiopian Human Rights Council.
- Two civil society activists and human rights lawyers, Daniel Bekele, policy manager of the Ethiopian office of ActionAid, and Netsanet Demissie, founder and director of the Organization for Social Justice.
- Seven journalists from the independent media who are charged on the basis of published articles which to Amnesty International’s knowledge did not advocate violence.

We are also concerned about issues of fair trial and the possible imposition of the death penalty.

I briefly report several additional areas of great concern for human rights in Ethiopia.

*Discrimination against Minority Groups*

In 2006 in the Oromia region there were large-scale arrests during anti-government demonstrations, led particularly by students. Some protestors called for the release of Driibi Demissie, a Mecha Tulema Association community leader on trial since 2004. Amnesty International considers Driibi Demissie to be a prisoner of conscience.

Hundreds of Oromo people detained in November 2005 were reportedly still held during 2006 without charge or trial, and others were detained in previous years for alleged Oromo Liberation Front (OLF) connections.

Numerous people accused of Ogaden National Liberation Front (ONLF) connections were reportedly detained in the Somali region, and many political prisoners arrested in previous years were still held without charge or trial.

In Gambela region there were scores of arrests of members of the Anuak ethnic group. Hundreds of people arrested during mass killings in Gambela town in December 2003 were still detained without charge or trial.

Some 60 peaceful demonstrators belonging to the Sidama ethnic group were arrested in Awassa and other towns last March.

#### *Ethiopian Military Presence in Somalia*

Amnesty International has recently called on the UN Security Council to protect civilians in Somalia from escalating violence and deteriorating security that threatens humanitarian assistance. As security in the capital city of Mogadishu deteriorates and conditions worsen, the civilian population is facing severe human rights abuses. We are deeply concerned about this most recent upsurge in violence in and around Mogadishu and its deadly impact on civilians.

What does this have to do with Ethiopia?

The conflict between Somalia's Transitional Federal Government (TFG) and its opponents has caused more than 1,000 deaths since late February, most of them civilians, killed by TFG and allied Ethiopian troops. More than 300,000 have fled the conflict—a third of the population of Mogadishu.

Amnesty International has called on the TFG and the Ethiopian government, which provides its military support, to protect the civilian population under their commitments to international law.

The new cycle of violence arose mainly from the resumption of a TFG/Ethiopian security operation in early April. TFG and Ethiopian forces are fiercely opposed by remnants of the Council of Islamic Courts (CIC) and other fighters opposing to the presence of Ethiopian troops on Somali soil.

Ethiopian troops have been accused of indiscriminate shelling in civilian population areas, leading to hundreds of civilian deaths and mass displacement in Mogadishu.

#### *Detention of Foreign Nationals fleeing Somalia*

The Ethiopian authorities have acknowledged detaining 41 of more than 80 people who were arrested trying to cross from Somalia into Kenya since January 2007, and have said 29 will be released. The whereabouts of the remaining detainees is unknown.

One of those detained, Bashir Ahmed Maktal, who is of ethnic Somali origin, is suspected by Ethiopian authorities of having links with the ONLF, and they have reportedly pressured him to confess this publicly. Amnesty International is concerned he may be ill-treated or tortured to make him "confess." He is believed to be detained incommunicado at the police Central Investigation Bureau (Maikelawi) in Addis Ababa, and has not been charged with any offense.

Two Eritrean journalists who are also being held, Tesfaldet Kidane Tesfasgi and Saleh Idris Salim, were shown on Ethiopian TV and on a website called Waltainfo.com on April 13. They were accused of being Eritrean soldiers sent by the Eritrean government to fight in Somalia against Somalia's Ethiopia-supported government. Like Bashir Ahmed Maktal and others detained with them, they have had no access to legal counsel or their families, and have not been charged with any offense.

#### *Ethiopia's Border Dispute with Eritrea*

In regard to Ethiopia's domestic human rights concerns, the elephant in any room remains the unresolved border dispute with Eritrea.

Despite the fact that the Government of Ethiopia has stated that it accepts the Boundary Commission ruling, it has resisted its implementation and called for further negotiations. Not surprisingly, Eritrea has stood its ground and refused to allow the Boundary Commission ruling to be re-examined. The potential for massive abuses of human rights and humanitarian law in the event of renewed active combat along the border is significant. Uncertainty and threats of violence have already had dire effects on the livelihood, health and right to movement of local populations. According to a recent Council on Foreign Relations report,<sup>4</sup> ongoing failure to implement this binding agreement is negatively affecting the complex and interwoven political dynamics of the Horn.

#### *U.S. Foreign Policy toward Ethiopia: The Need for a Regional Policy<sup>5</sup>*

The U.S. and other western powers have given the Government of Ethiopia fairly free rein to perpetrate serious human rights violations with no political or economic consequences. Ethiopia has developed close ties by way of relief and development

<sup>4</sup> From *Avoiding Conflict in the Horn of Africa* by Terrence Lyons (Council on Foreign Relations Press, December 2006).

<sup>5</sup> Please see upcoming article in the *Africa Policy Journal*, "Regional Politics, Human Rights and U.S. Policy in the Horn of Africa," by Tricia Redecker Hepner and Lynn Fredriksson, for further analysis on the need for a regional U.S. policy for the Horn.

assistance, military cooperation,<sup>6</sup> and growing U.S.-led counter-terrorism operations in the region.

Not only is the Government of Ethiopia responsible for obstructing implementation of the Boundary Commission ruling, it has also recently intervened—with U.S. backing—to determine the outcome of a domestic conflict between the Transitional Federal Government (TFG) and the Council of Islamic Courts (formerly the Islamic Courts Union) in Somalia by carrying out a full scale military incursion. Equally disturbing from an international human rights perspective, scores of human rights defenders—from elected parliamentarians to journalists, students, and opposition party leaders—are still facing unjustified charges in several concurrent trials dragging on in Addis Ababa.<sup>7</sup>

Consecutive U.S. administrations have preferred to conduct foreign policy with a cooperative and stable regime in Addis, despite clear signs of disturbing trends toward political centralization, repression, shrinking political space for civil society, and an incapacity or unwillingness to resolve ongoing conflicts with politically marginalized groups—particularly in the Oromo and Somali regions—which have resorted to armed violence around the country. The U.S. government has consistently and unquestioningly provided a range of assistance to the Government of Ethiopia beyond critical Economic Support Funds, Child Survival and Health, and Transition Initiatives funding—including Foreign Military Financing (FMF) and International Military Education and Training (IMET).

U.S. foreign policy's focus on counter-terrorism has also played a significant role. It has contributed to the glaring absence of public statements and policy decisions in response to diminishing political space and the abusive treatment of prisoners of conscience and other political prisoners in Ethiopia. Given the close and long-standing relationship U.S. government policymakers have enjoyed with the Government of Ethiopia, are we left to assume that they have chosen to ignore universally recognized human rights norms in exchange for military bases, political intelligence and the facade of national stability?

U.S. policy toward Ethiopia should make the protection of all human rights, including the fundamental rights of physical integrity, expression, assembly and fair trial central to U.S. relations with the Government of Ethiopia and Ethiopian civil society. And it should recognize—even if the government in Addis Ababa currently does not—that in order to achieve Ethiopia's goal of domestic and border security, both the Government of Ethiopia and the international community must listen to and respect the rights of minority groups and opposition parties—and in particular leading human rights defenders—whose perspectives on national priorities and the nature of their own rights have been too long ignored.

Any successful U.S. policy toward the Horn that will promote peace, stability, and human rights not only regionally but also globally, must begin with a serious and genuine consideration of regional dynamics, local perspectives on human rights, and the way in which U.S. policies impact these factors.

Unless the United States develops a comprehensive and principled strategy that is more sensitive to regional complexities and fairer to the rights, perspectives and political and humanitarian needs of the Horn populations and their governments, greater strife and suffering are likely to result.

#### *Recommendations for U.S. Policy on Ethiopia*

Amnesty International calls on the Government of the United States to:

- Make human rights central to U.S. relations with the Government of Ethiopia and Ethiopian civil society.
- Request that our new Ambassador take actions necessary to press the Government of Ethiopia to release all prisoners of conscience immediately and unconditionally, including the above named.
- Actively monitor all political trials in Addis Ababa and other places in Ethiopia, demand that they fulfill international standards for fair trials, and actively monitor the treatment of all prisoners of conscience and political detainees.

<sup>6</sup>By way of example, Ethiopia contributed troops to the Coalition of the Willing during the 1991 U.S.-led Gulf War with Iraq, and the U.S. maintains military bases in eastern Ethiopia.

<sup>7</sup>Amnesty International has always considered the original charges against all of these individuals—including treason and other capital offenses—to be without merit, and has called for the release of all of these individuals, whom the organization has designated prisoners of conscience.

- Continue to press the Government of Ethiopia to do everything in its power to avoid conflict with Eritrea and in Somalia and to protect all citizens in the region.
- Continue to provide the levels of humanitarian assistance required to provide for the basic needs of the Ethiopian people.
- Actively support judicial and security sector reform in Ethiopia.

Mr. DELAHUNT. Thank you, Ms. Fredriksson.

Dr. Pham?

**STATEMENT OF J. PETER PHAM, PH.D., DIRECTOR, THE NELSON INSTITUTE FOR INTERNATIONAL AND PUBLIC AFFAIRS**

Mr. PHAM. Thank you, Mr. Chairman, and with your permission and in the interest of time, I would like to summarize my remarks and ask that my full statement be entered into the record.

Mr. DELAHUNT. Without objection. Thank you, Doctor.

Mr. PHAM. Chairman Delahunt, Chairman Payne, Congressman Rohrabacher, other Members of Congress, I am honored and pleased to be invited to appear before you today to discuss whether a "human rights double standard" exists with respect to the United States' policy toward Equatorial Guinea and Ethiopia.

As someone who has repeatedly lamented the fact that Africa is often treated as something of a "stepchild" of United States foreign policy, I have to recognize the leadership of the Congress, especially with regard to Ethiopia.

There is certainly a rich history, going back to Congressman Harry Johnston's role in mediating between the government and opposition, through Congressman Payne's role and others during the border dispute, and Congressman Royce's work in helping ensure free elections, and the follow-up last year with Congressman Smith. So it is really a privilege to appear before you.

It is also a privilege to appear with my two colleagues here. I have a great deal of respect for Dr. Nyang's work, especially on Islam in Africa, and Ms. Fredriksson's organization has done a tremendous amount of good, and, as an educator, I really have to signal Amnesty's urgent actions and the role that played in helping win the release of detained members of the Ethiopian Teachers Association and students who were arrested for their involvement in opposition politics.

Before entering into a discussion of the rough and tumble of Ethiopian politics, a word might be said about the hopes that were building up in 2005, and perhaps something that Ethiopia does not get enough credit for. The Ethiopian constitutional framework has a very unique and privileged treatment of the ethnic diversity. It is a formula that, if applied correctly and fully as it was intended, could perhaps be a model for many other states in Africa, and, in fact, the presupposition of dealing with the ethnic question as one for a multiparty system.

The elections of May 15, 2005, were an attempt to deliver on this promise, and, certainly one has to recognize, mark the first real multiparty poll in Ethiopia's 3,000-year history: Nearly 26 million people, 48 percent of them women, registered to vote, and some 1,800 candidates competed for the 547 seats in the lower House of Parliament.

I was present in the country during the final campaign period and during the poll. The excitement that gripped the country, especially after the opposition parties, which had barely a dozen seats in the outgoing Parliament, won some 170 seats and made a clean sweep of the capital, was electrical. I spent the morrow of the opposition's victory with two leaders of the Coalition for Unity and Democracy, Hailu Araaya and Isaac Kifle, and can testify to the hopes that were very bright that day.

Unfortunately, as we all know, and our colleagues have already mentioned in some detail, those hopes, unfortunately, were dashed in the ensuing actions, the subsequent turmoil and violence and the government's at times ham-fisted response to political opposition. One also has to note, as has been noted earlier by both Mr. Smith and Mr. Rohrabacher, the U.S. Government's interests in the area.

Certainly, I am not in a position to speak with regard to what we have gained in terms of intelligence and military capability with our partnership with the Ethiopians, although from my own analysis of the open source information available, as well as my contacts in the region, it would hardly be an exaggeration to say that we have a relationship that is, at least to our military side, strategically vital. And I also would add that, however, that partnership goes two ways.

The Ethiopian Government also, increasingly, has become dependent upon that relationship. Ethiopia, one has to recognize, faces a serious series of existential challenges to its existence as a state.

Internally, the Ethiopian Government faces armed opposition from the Oromo Liberation Front and the Ogaden National Liberation Front, both of whom claim to be engaged in national liberation struggles to free their respective peoples from what they perceive to be as occupation. Whatever the merits of these claims, it is incontestable that both groups have carried out numerous attacks, not only on government forces but also on civilian officials and other ethnic groups linked to the government, and certainly the attack last month by the ONLF on the Chinese-operated oil facility points to, at least, the seriousness of that challenge.

Externally, the Ethiopian Government faces challenges in its neighborhood from the Islamists and other insurgent groups in Somalia, certainly from the Eritrean situation, so, in a way, that dependence that we have cultivated with Ethiopia runs, as I said, two ways. They have grown increasingly dependent upon our assistance to cope with these challenges, both internal and external.

With that in mind, I would like to return to that glimmer of hope that the 2005 elections presented. Clearly, there were flaws with that process, but there were also opportunities. If anything, the flaws point to a need to build capacity and encourage reform.

The National Electoral Board in Ethiopia did a rather outstanding job of registering voters and candidates and preparing for the poll. Its post-election performance was less impressive.

This capacity needs to be strengthened through international exchanges and other mechanisms. The same things could be said for other political and civil society institutions in Ethiopia. I know that our Embassy in Addis has been engaged with both parliamentar-

ians and municipal and local authorities. Technical experts provided by the European Union, especially Germany and Great Britain, have been involved in a number of rule-of-law issues.

I would encourage the administration and the Congress to seek the ways and the means to return IFES, the International Republican Institute, the National Democratic Institute, and other NGOs to Addis Ababa to help with the long-term process of capacity building and political reform.

Mr. Chairman, the United States and other countries with a liberal democratic tradition can and should support the efforts of men and women everywhere to secure for themselves the rights and freedoms which we, more often than not, take for granted. That principle being stated, however, I would suggest, with all due respect, that we also have to acquire certain wisdom and humility to acknowledge the limits of our own capacities in differentiated cases which we confront and, accordingly, tailor our policies responsibly and realistically to achieve the strategic effect we seek.

I would divide countries, with regard to human rights issues, into three categories.

In some cases, no matter how morally satisfying it may be, outside advocacy, to say nothing of external intervention, may even lead to a worsening of conditions for those on whose behalf we undertake action. An example for that might be Zimbabwe. There is not much we can do to leverage without hurting perhaps some of the people we are trying to help.

In other cases, the reality is that civil society, often through no fault of its own, has yet to mature, and there is no viable political opposition.

In still other cases, we can do a great deal to empower forces seeking peaceful democratic transformation through direct engagement with both those forces and the regimes they face off against, regimes which our relationships with might allow us considerable leverage. I would suggest that Ethiopia falls into this category.

The reality is that, in the end, we have to recognize that progress in human rights will be made not so much by those of us on the outside but, rather, when individuals, cultures, and nations appropriate for themselves, ultimately embracing it as something worth fighting for.

In the case of Ethiopia, against the backdrop of its millennial history, it is my conclusion that extraordinary progress has been made in recent years, and it is the will of the people that the momentum be sustained.

In my opinion, the Ethiopian Government, despite its backsliding, will ultimately fail in its attempt to stand athwart the march of history. And it is my hope that, and perhaps we can discuss this further in the questions, the United States will make full use of the opportunities offered by its policy of the administration of strategic diplomatic, political, and cultural links to the regime to leverage those, and that engagement which we need to reopen with civil society and the political opposition to help Ethiopia open up the way forward. Thank you, Mr. Chairman.

[The prepared statement of Mr. Pham follows:]

## PREPARED STATEMENT OF J. PETER PHAM, PH.D., DIRECTOR, THE NELSON INSTITUTE FOR INTERNATIONAL AND PUBLIC AFFAIRS

Chairman Delahunt, Chairman Payne, Congressman Rohrabacher, Congressman Smith, and Distinguished Members of Congress:

I am honored and pleased to have received the invitation opportunity to appear before you today to discuss, as the title of this hearing has it, whether there is “a human rights double standard” with respect to United States policy towards Equatorial Guinea and Ethiopia. As someone who has repeatedly lamented that Africa is often treated as something of a “stepchild” of U.S. foreign policy, I have to recognize the leadership of the subcommittees not only for calling this oversight hearing, but for the longstanding commitment of the Congress with regard to Ethiopia in particular, which stretches back over a decade to Congressman Harry Johnston’s role mediating between the government and the opposition through the efforts of Congressmen Tom Lantos and Donald Payne and others during the Ethiopia-Eritrea border dispute and down to efforts by Congressman Edward Royce and others to ensure free and fair elections in 2005 and the interest that the Africa subcommittee under Congressman Christopher Smith has had in democratic progress after that poll.

For the record, I would preface my remarks with the understanding that while some of my points will certainly have their application to the case of Equatorial Guinea, my observations will focus on U.S. policy towards Ethiopia where I have done research and field work, including the privilege of observing the historic parliamentary elections in 2005, and which is more directly related to my security studies of the Horn of Africa subregion, concerning which I have previously had the privilege of briefing the predecessor of the present subcommittees (as well as the Subcommittee on International Terrorism and Nonproliferation) during the 109th Congress.

I am also humbled to be called upon to follow-up upon the remarks made by Dr. Sulayman Nyang, whose work on Islam in Africa I have great respect for, and Ms. Lynn Fredriksson, whose organization has done a tremendous amount of good in many of the conflict zones of Africa that I have worked in. As an educator, I want to especially commend the role that Amnesty International and its “Urgent Actions” have played in helping win the release in Ethiopia of detained members of the Ethiopian Teachers Association as well as students who were arrested for opposition political activity. Consequently, my purpose is not so much to contest what my colleagues have said as much as to try to complement it by presenting some background to the context, challenges, and opportunities involved in U.S. relations with Ethiopia.

## CONTEXT

Before entering into a discussion of the rough-and-tumble of contemporary Ethiopian politics, a word might be said about the unique constitutional framework for multiethnic governance that the country has constructed in recent years and for which, in my view, it gets too little credit.

Ethiopia, as we all know, is Africa’s oldest continuously existing polity. Despite its ancient roots, the country’s political history and development was affected by the Western colonial enterprise, albeit in a manner different from that of other pre-colonial African polities. Faced with the pressures of the European empire builders, the Ethiopian monarchy under Menelik II (*nagusä nägäś*, 1889–1913) systematically expanded its boundaries, incorporating previously independent communities with widely differing religious, ethnic, and political backgrounds into a centralized imperial state. While the regime in power at any given moment in the country’s subsequent history has varied considerably—as have the constitutional documents under which the successive governments theoretically labored—from Haile Selassie’s “divinely-sanctioned” imperial rule to the socialist-inspired “People’s Democratic Republic” of the Derg, the monolithic contours of a centralized unitary state have remained constant.

Following the flight of Mengistu Hailemariam and the collapse of the Derg in 1991 after a protracted civil war, the Eritrean People’s Liberation Front (EPLF) emerged victorious in Eritrea while the Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF), a coalition of various groups headed by the Tigrayan People’s Liberation Front (TPLF), predominated in the rest of what was then Ethiopian territory. Following a referendum on April 23–25, 1993, the EPLF led the former Italian colony—which was only awarded in federation to Ethiopia in 1952 and unilaterally annexed and integrated by the latter ten years later—to independence. An EPRDF-led transitional government was set up in Addis Ababa for the balance of the old country and tasked, among other things, with preparing a new constitution.

A 547-member constituent assembly was elected in early June 1994 and, after extensive debate and a number of amendments, approved the “Constitution of the Federal Democratic Republic of Ethiopia” on December 8, 1994.

Perhaps the most salient feature of the constitution is its privileging of the ethnic issue from the very beginning. The document’s preamble opens with “We, the Nations, Nationalities and Peoples of Ethiopia” rather than the now-conventional “We the People.” Nor is this a mere rhetorical device as is made clear by Chapter 2 of the charter, “Fundamental Principles of the Constitution,” which declares “all sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia” for whom the constitution “is an expression of their sovereignty” (Art. 8). Interestingly the definition for a distinct status under the constitution is not that different from the sociological definition of a “nation”:

A “Nation, Nationality or People” for the purpose of this Constitution is a group of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory. (Art. 39, para. 5)

The constitution goes on to specify that the federal structure thus brought into being shall comprise of states “delimited on the basis of settlement patterns, language, identity and consent of the people concerned” (Art 46). As a starting point (Art 47), nine ethnically-based federal states (*kililoch*)—Tigray, Afar, Amhara, Oromia, Somali, Benishangul/Gumuz, “Southern Nations, Nationalities and People,” “Gambella Peoples,” and “Harari People”—as well two self-governing administrations (*astedaderoch*)—Addis Ababa and Dire Dawa—are constituted. The right of “any Nation, Nationality or People to form its own state” is affirmed and can be exercised following a prescribed procedure (Art. 48, para. 3). The constitution also affirms the right of secession as an inherent part of the “unconditional right to self-determination” enjoyed by “every Nation, Nationality and People in Ethiopia” (Art. 39) and provides the mechanisms for exercising that right.

Short of secession, the constitution affirms that “every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government” (Art 39). Within the “identifiable, predominantly contiguous territory” that its individual members inhabit, this right is exercised through the establishment of local institutions of government. On the state and federal levels, the right is guaranteed through the principle of “equitable representation.” At the federal level, for instance, the constitution disposes that of the maximum 550 members of the House of Peoples’ Representatives at least 20 seats must be reserved for “minority Nationalities and Peoples” in accordance with particulars to be legislated by statute (Art 54). Furthermore, additional provision may be made for minority representation. The upper chamber of parliament, the House of Federation, is composed of at least one representative from each recognized “Nation, Nationality and People,” with “one additional representative for each one million of its population” (Art 61).

To say that the introduction of this model aroused misgivings considerably understates the reaction to this novel approach to challenges of ethnicity. But it has to be conceded that, whatever the subsequent shortcomings of the government of Prime Minister Meles Zenawi, the reorganization of the centralized Ethiopian state into a federal arrangement occurred with relatively little economic or political disruption, even as large numbers of civil servants were transferred from Addis Ababa to regional centers to staff the new state governments. While it is too early to declare the success (or failure) of the ethnic federal system in Ethiopia, it is not far-fetched to propose, as one Ethiopian scholar does, that “recognition of the rights, obligations and respect for the language, culture and identity of nations is the first difficult but unavoidable step toward non-ethnic politicization and a multiparty system.”

The elections of May 15, 2005, delivered on this promise, marking the first real multiparty poll in Ethiopia’s history which stretches back three millennia. Nearly 26 million people, 48 percent of them women, registered to vote. Some 1,847 candidates competed for the 547 seats in the lower house of parliament. I was present in the country during the final campaign period and during the poll. The excitement which gripped the country, especially after the opposition parties—which barely had a dozen seats in the outgoing legislature—won some 170 seats and made a clean sweep of the capital, Addis Ababa, was electrical. I was with two of the leaders of the Coalition for Unity and Democracy (CUD), Hailu Araaya and Isaac Kifle, on the very morrow of their victory and can testify to the hopes which seemed so bright that day.

While I do not wish to minimize in any way the serious charges of irregularities which the CUD as well as the United Ethiopian Democratic Forces (UEDF) and the

Oromo Federalist Democratic Movement (OFDM) brought following the publication of election results—much less the subsequent turmoil and violence and the government's at times ham-fisted response—these have to set within a context. The 2005 elections, for all their flaws, were a vast improvement over those of 2000. And, again without excusing many unfortunate incidents, those same elections were much better than those in other African countries whose electoral exercises I have observed—whatever intimidation or fraud may have occurred in Ethiopia, it certainly did equal what I saw in Nigeria just over two weeks ago—much less those in other parts of the world.

#### CHALLENGES

Without taking away from any of the concerns raised by Amnesty International and other nongovernmental organizations as well as by our own State Department and partner governments regarding mass arrests, the use of lethal force against civilian protesters, and other serious charges leveled against the government of Prime Minister Meles, it would perhaps serve us well to take note of the serious existential challenges faced by the government in Addis Ababa, both internal and external.

Internally, the Ethiopian government faces armed opposition from the Oromo Liberation Front (OLF) and the Ogaden National Liberation Front (ONLF), both of whom claim to be engaged in “national liberation struggles” to free their respective peoples from what they perceive to be “occupation.” Whatever the merits of these claims, it is incontestable that both groups have carried out numerous attacks not only on government military forces, but also civilian officials and even ethnic groups supposed to have pro-government affinities. In one instance, just one month before the 2005 election, some 400 members of the Gebera, an ethnic group in Oromia with strong ties to the government, were slain.

If there was any question of the ongoing seriousness of the challenge posed by these armed internal opposition forces, late last month the ONLF launched an attack on an oilfield being developed by a Chinese firm in Ethiopia's Somali Regional State. During the subsequent fifty-minute firefight between the ONLF fighters and Ethiopian soldiers guarding the oil workers, nine Chinese and sixty-five Ethiopians were killed. Seven other Chinese workers were kidnapped before the ONLF fighters withdrew and subsequently released. (I would observe that despite the ONLF's open admission of its role in the most spectacular attack within Ethiopia since the fall of the Marxist dictatorship in 1991—to say nothing of the toll of thousands of lives which ONLF ambushes and raids against Ethiopian military and civilians have exacted since 1984—the Ogadeni militants amazingly do not figure in official U.S. terror lists.)

Externally, the Ethiopian government has become embroiled in the crises affecting neighboring Somalia. The Ethiopian officials, unlike their Western counterparts who have only belatedly picked up upon the rising Islamist storm in the Horn of Africa, know well the origins of *al-Itihad al-Islamiya* (“the Islamic Union”), the predecessor to the Islamic Courts Union which was established in the 1980s and sought the creation of an expansive “Islamic Republic of Greater Somalia” embracing all Somalis, and even perhaps all Muslims, in the Horn of Africa. After the collapse of the last effective government of Somalia in 1991, al-Itihad tried to seize control of strategic assets like seaports and crossroads. Although it temporarily held the northern port of Bosaaso and the eastern ports of Marka and Kismaayo, the only area where it exercised long-term control was the economically vital intersection of Luuq, in southern Somalia, near the Ethiopian border, where it imposed harsh shari'a-based rule from 1991 until 1996.

No less than expert than Dr. Ted Dagne of the Congressional Research Service affirmed that “Al-Itihad has carried out a number of terrorist attacks against Ethiopian targets.” In fact, from its base in Luuq, the Islamists of al-Itihad encouraged subversive activities among ethnic Somalis in the Ogaden region of Ethiopia, who carried out a series of terrorist attacks, including the bombing of two hotels and the attempted assassination of a cabinet minister in Addis Ababa. The exasperated Ethiopian regime finally intervened in Somalia in August 1996, wiping out al-Itihad bases in Luuq and Buulo Haawa and killing hundreds of Somali extremists as well as scores of clearly non-Somali Arabs who had flocked to the Horn under the banner of *jihad*.

After that defeat a decade ago, al-Itihad changed tack and, as the longtime scholar of Somali affairs, Professor Iqbal Jhazbhay of the University of South Africa, noted in a recent paper, “rather than prioritize a strategy of developing an independent military base, decided instead on what could be termed a more ‘hegemonic’ approach whereby it would be working within Somali political and clan structures such as the Islamist Courts.” While the courts—aided by external financial re-

sources in addition to internal organizational capacity—have credited with marked improvements in security in many areas of Somalia, they also represented al-Itihad's new stealth strategy of achieving a preponderant position in society from which to impose its radical theology and extremist political agenda.

An example of the success of this approach is found in the career of the chairman of the ICU, Sheikh Hassan Dahir 'Aweys. After his defeat at the hands of the Ethiopians in 1996, 'Aweys, the vice-chairman and military commander of al-Itihad (and, prior to that, a colonel in the prison service of the Siyad Barre regime, an occupation for which it would fair to read "torturer"), settled in Merka where he established the first Islamic court in the lower Shabelle region. He then moved to Mogadishu to preside over the Islamicization of the southern part of the capital. While the name "Aweys" may not ring a bell with most Americans, it should be recalled that the "sheikh" was prominent enough a figure in the world of terrorism to make the cut onto the list of 189 individuals and organizations singled out by the U.S. government for special mention after the attacks of September 11, 2001—as well he should for someone whose liaison with al-Qaeda was none other than Muhammad Atef, who was Usama bin Laden's military chief until he was killed by U.S. forces in Afghanistan.

In the light of this history, is it at all surprising that Ethiopia ended up intervening in Somalia? While, as I have repeatedly said since the fighting began on December 20, 2006, Ethiopia may not have been the ideal intervenor in Somalia, better it than no one and perhaps the one thing worse than Ethiopia intervening forcefully is for it to have done so in vain. Unless the al-Qaeda-linked radicals within the ICU leadership are utterly and unambiguously defeated—or, in all frankness, better yet, eliminated—they can still turn the remnants of the former Somalia into a regional terrorist hub that exports the conflict from Somali territory across the Horn of Africa.

And, without stretching my brief too far, permit me to simply mention the rather unfortunate role that Ethiopia's regional rival, Eritrea, and its rather nasty government have played in the ongoing situation in Somalia, arming the Islamist insurgency as a way to stoke the fires of its own conflict with its larger neighbor. In fact, Eritrea's strategy is precisely to play the role of regional spoiler, forcing Ethiopia to maintain robust forces in its southeast as well as to its north, draining scarce resources.

This is a reality we have come to realize and which, I would imagine, has informed much of U.S. policy in recent months. And while I am unable to address the particulars of how Ethiopia has helped to advance our interests in the Horn of Africa in recent months, the conclusion I would draw from an analysis of open source information as well as my own contacts in the region is that it would hardly be an exaggeration to characterize the relationship as "strategically vital."

While I have made no secret of my view of the "Transitional Federal Government" (TFG) of Somalia as well as my disagreement with the seemingly uncritical support that the United States has publicly thrown behind this internationally-recognized, but disastrously ineffectual body, it nonetheless remains that the policy of our government has been to back the TFG. In this regard, with its promises—including ones made just this week—of support for a stabilization force largely rhetorical with the exception of Uganda, the Africa Union has likewise not followed through. Only Ethiopia has put forward the resources to support what—mistakenly I believe—seems to be our policy.

In addition, I would mention just in passing the contributions that Ethiopia has made to peacekeeping operations which we have supported in places like Liberia—where two Ethiopian battalions were committed to the largely successful United Nations Mission in Liberia (UNMIL) led by Ambassador Jacques-Paul Klein which paved the way for the elections which brought President Ellen Johnson-Sirleaf to office—as well as various trouble spots across the African continent.

#### OPPORTUNITIES

With all the challenges in mind, I would encourage us to return to the glimmer of hope the 2005 elections offered. Clearly there were flaws. But there are also opportunities. If anything, the former point to the need to build capacity and encourage reform. The National Electoral Board of Ethiopia (NEBE) did a rather outstanding job registering voters and candidates and preparing for the poll; its post-election performance was perhaps less impressive. This capacity needs to be strengthened through international exchanges and other mechanisms. The same things could be said for other political and civil society institutions in Ethiopia.

I know that our Embassy in Addis Ababa has been engaged with the both parliamentarians and municipal authorities in Ethiopia. Technical experts provided by

the European Union—especially Germany and Great Britain—have been involved with the government in a process of reviewing a number of rule of law issues. I would encourage the Administration and the Congress to seek ways and means to return IFES, the International Republican Institute, and the National Democratic Institute to Addis Ababa to help with the long-term process of capacity building and political reform.

The point which I want to underscore is that, unlike the two other countries mentioned here today—Equatorial Guinea and Zimbabwe, which Dr. Nyang has brought up—in Ethiopia we have significant opportunities to engage in support of human rights, good governance, and, yes, democracy.

#### CONCLUSION

Messrs. Chairmen, Distinguished Members:

During the latter stages of the Cold War, one school of ethical analysis, ultimately labeled that of “moral equivalence” by the late Jeane Kirkpatrick, measured Western liberal democracies against utopian standards in a radical critique—often buttressed by what is now known to have been disinformation from the Eastern bloc—which redefined the political discourse, erasing distinctions between the Soviet Union and its satellites on the one hand and the United States and its allies on the other. In short, the world was divided into two “morally equivalent” spheres, each led by a superpower which perpetrated equally reprehensible deeds—although somehow those of the U.S., by dint of its greater openness as a society, generally received greater scrutiny—in its struggle for global supremacy. As a result, according to those who subscribed to this vision, the “free world” had no moral standing to criticize the abuses occurring behind the Iron Curtain.

One would have assumed that the collapse of the Iron Curtain had consigned this doctrine to history’s dustbin, but it has enjoyed something of a revival in the 21st century, albeit this time among those whose sympathies lie perhaps less with the fantasies of scientific Marxism incarnate—at least in theory—in the U.S.S.R. and more with the romantic notions of Third Worldism as represented by any regime which has attracted the critical scrutiny of the West. This is the approach which the Robert Mugabes of the world and their defenders take.

But there is another variant of moral equivalence that is just as pernicious. It is the one which, in the name of avoiding “double standards” and for the sake of avoiding “inconsistencies,” refuses to distinguish between what Dr. Nyang has appropriately termed the “historical distinctiveness” of the nations under examination and their relationships with our own country.

The United States and other countries with a liberal democratic tradition can and should support the efforts of men and women everywhere to secure for themselves the rights and freedoms we more often than not take for granted. That principle being stated, however, I would suggest, with all due respect, is that we have to acquire the wisdom—and the humility—to acknowledge the limits of our own capacities in the differentiated cases which we confront and, accordingly, tailor our policies responsibly and realistically to achieve the strategic effect we seek.

In some cases, no matter how morally self-satisfying it may be, outside advocacy—to say nothing of external intervention—may even lead to a worsening of conditions for those on whose behalf action was undertaken in the first place. In other cases, the reality is that civil society—perhaps through no fault of its own—has yet to mature and a viable political opposition has yet to materialize. And in still other cases, we can do a great deal to empower the forces seeking peaceful democratic transformation through direct engagement with both those forces and the regimes they face off against, regimes which our relationships with might allow us considerable leverage. I would suggest that perhaps Zimbabwe may be an example of the first, Equatorial Guinea the second, and Ethiopia the third.

In the end, the reality which must be recognized is that progress in human rights will be made not so much because outsiders, whether governmental or civil society actors, push it, but because individuals, cultures, and nations appropriate it for themselves, ultimately embracing it as something worth fighting for. The 2006 version of the *National Security Strategy of the United States of America* acknowledges as much when it states:

Africa holds growing geo-strategic importance and is a high priority for this Administration. It is a place of promise and opportunity, linked to the United States by history, culture, commerce, and strategic significance. Our goal is an African continent that knows liberty, peace, stability, and increasing prosperity . . . The United States recognizes that our security depends on partnering with Africans to strengthen fragile and failing states and bring ungoverned areas under the control of effective democracies.

In the case of Ethiopia, against the backdrop of its millennial history, it is my conclusion that extraordinary progress has been made in recent years and it is the will of the people that the momentum be sustained. It is my opinion that the Ethiopian government, despite some backsliding—understandable if not excusable because of the extraordinary challenges it faces—will ultimately not stand athwart the march of history. And it is my hope that the United States will make full use of the opportunities offered by the strategic, diplomatic, political, and cultural links of its engagement with Ethiopia to help open up the path forward.

Mr. DELAHUNT. Thank you, Dr. Pham and all of you. Your testimony was certainly edifying, informative, and instructional. I am going to wait until the end before I pose questions because I know many of my colleagues have been here. I am going to turn first to Mr. Payne, but I will just make an observation in terms of realistically where our points of leverage may be, and I think it was you, Ms. Fredriksson, that referenced a confidentiality agreement between ExxonMobil and Marathon, both American companies, and the Government of Equatorial Guinea.

I would look to Mr. Payne and to the ranking member on the subcommittee of jurisdiction to think of ways where this American corporation that has entered into these confidentiality agreements could be held responsible for transparency, at least, in terms of the relationship between these large, major oil companies in terms of providing American policymakers and members of the Department of Justice an opportunity to track these dollars so that an added element of transparency is available, just an observation. Mr. Payne.

Mr. PAYNE. Thank you very much. We also have the tool of economic boycotting. Of course, we should see if we can work through the government, but, in New Jersey, we barred Shell from the New Jersey Turnpike when they were doing business in South Africa. They were not welcomed in New Jersey, and so they sold no gasoline in our state. So we may have to look at some economic tools to deal with these issues.

Let me just ask Ms. Fredriksson quickly, in your opinion, what more should the United States do to support civil society and the political opposition in Equatorial Guinea? Have you noticed an increase in the U.S. effort to advocate for human rights and democracy since we sent an Ambassador there last fall? Have there been any changes?

Ms. FREDRIKSSON. Sadly, not. We have not seen significant change yet. To be fair, it has been a short period of time since we went the new Ambassador there, so change could be in the works. However, I think that we could potentially do more to support civil society in a number of ways.

One is to take steps to ensure the return of legalization of political opposition and professional associations.

We could also encourage the government to improve conditions for the creation and participation of local civil society groups in human rights and transparency and accountability and democratization efforts, and we could also look for ways to support those groups directly.

Mr. PAYNE. Thank you very much. Maybe we can encourage, through our committee, the new Ambassador to perhaps step up the pace there.

Let me ask you, Dr. Nyang. You mentioned that you believe that U.S. moral currency must remain strong, and it has been questioned as we have gone through history. In your opinion, how much credibility have we lost on issues of human rights and democracy because of, you know, our looking the other way with countries like Ethiopia, and, in your opinion, what might be some steps that can be taken to strengthen that, whether the Congress needs to do it, or the administration, whether it has the moral currency to do it?

Mr. NYANG. Congressman Payne, thank you very much for the question, and to all of your colleagues here who are on the committee, I think the United States is still in a position to have influence on Ethiopia and Equatorial Guinea. Sometimes the U.S. authorities shortchange themselves.

In the case of Ethiopia, the Ethiopians are very much concerned about their image in America because Ethiopia is the only country that has an airline from Africa that flies into Washington. It is a big privilege of Ethiopia. They have a flagship that is a pride for them. So, naturally, they would like to tow the line because that is the prestige. Nigeria is a big country. Nigeria does not have a flight coming to Dulles.

So that gives Ethiopia a very powerful psychological advantage. So the Ethiopian Government, therefore, would be more willing to listen to Washington if Washington is willing to talk to them quietly behind closed doors, and they would begin to release some of these prisoners. We did that with the Soviet Union. We had a movement that led to the withdrawal from Russia thousands of people that left Russia.

So I think the Ethiopian Government is in a position now to benefit from quiet diplomacy and occasionally loud diplomacy, and I think that is one thing that has to be done. You have to make use of what is available, and, in this case, they have a certain prestige that they want to preserve.

The other thing is remittances, the benefit from remittances. The World Bank has done a study of all of these countries and the amount of money they get from the United States. So that is another thing the Congressmen and the leadership in the U.S. can also use.

The last thing that is critical is to really allow people-to-people movement. It is already taking place because the flights are always full. But I think what has to be done, and it is a win-win kind of situation, what has to be done is to make it very clear to the Ethiopian Government that you can have democracy without being ugly, and the kind of politics of greed and the politics of gangsterism that you have in Equatorial Guinea is not the same as the kind of politics you have in Ethiopia.

But I think the Ethiopian Government has to recognize the fact that, in order for it to maintain authority, it has to create room for the opposition. If the opposition got elected in Addis, let them run Addis Ababa, and the Americans have to insist that you should allow them to run Addis Ababa. You cannot just win everything. They want to play a zero-sum game where they want to control all of the balls, and I think that works against them in that regard.

Mr. PAYNE. Thank you very much, and I have to agree with Dr. Pham also that in the election there were gains, as he mentioned,

from 12 to 170. I think that, Dr. Pham, that you are right. I believe that the ground was set for more fair elections in Ethiopia.

However, because of the tremendous victory, we saw the government change the rules, the number of votes it needed to get things out of committee, a number of things that then set back the gains. I think the government was somewhat surprised. It felt that people loved what it was doing in the country and received a shocking defeat similar to Mr. Mugabe in Zimbabwe.

When they held up fair elections 5 or 6 years ago, the MDC just came up with such tremendous victories that that had Mugabe saying, "I thought I was popular." It was a one-party system then, so everybody had to vote for him, more or less. When it was opened up, ZANU-Pf was shocked at the opposition's strength, and the same thing in Ethiopia, which then led the government, in my opinion, to an even more repressive regime.

I am just wondering whether I am taking out of your testimony that you are suggesting that because of security concerns, that the Government of Ethiopia should sort of get a free pass on these human rights abuses.

Mr. PHAM. No, sir. That is not what I am suggesting. What I am suggesting is, because of those security concerns, the government actually has, just as we have become, perhaps tragically, dependent upon them as a proxy, they have also become dependent on us and our support that we give them, militarily, economic, and otherwise, to deal with some of these concerns which are existential to them.

So, as a result, it is a mutual co-dependency, except that we are not leveraging the leverage that we have and influence that we have to not only the soft power that Dr. Nyang spoke about but also a hard power, like economic power. Their need for us is almost as great as our need for their services, and we need to use that as a leverage.

If I may just give one example, I think, shortly before the elections of 2005, as you know, they tossed out IFES, NDI, and IRI. I sort of escaped the dragnet because I had come in on my own as opposed to under the IRI colors. But, at this point, I would suggest that possibly if the U.S. were to ask for readmittance of those organizations, I do not think they are in a position to refuse us. Now what we have to do is come up with the funding to get those organizations back in there, once they agree to let them in, and let them work with civil society and the opposition.

Mr. PAYNE. I have another question, this one to just a part of your testimony. I noticed that you talked about Ethiopia's ethnic federation and that it was a good thing and a move in the right direction. However, although it talks a good game, I am not so sure that the Constitution lived up to it in reality. It is a little bit different on the ground than what is written in the Constitution under these ethnic federations.

Also, I would just like to add that it is important to point out that while the current government instituted the ethnic federalism, the government is still dominated by the TPLF, although they said, we are going to have everyone in, and you have touted how great this ethnic federalism is, key positions in the cabinet, key positions in security services, key positions in the army are all controlled by the TPLF.

So, on paper, once again, written nicely, but on the ground, not so nice. Moreover, even in the regions, while you may have a regional government, the real power is still under the control—make no doubt about it—of the TPLF.

So I just want to mention that, you know, the Oromos and Somalis and Arfars are still protesting and battling for their rights.

Secondly, in your testimony you stated that thousands of civilians and military were killed by the ONLF. However, on the other hand, as we know, that thousands of civilians are killed and maimed and imprisoned by the current government. That is one of the reasons why Ethiopia is one of the countries we are talking about.

I think it is very important to remember that the ONLF chose a peaceful way when the current government took power. In fact, they joined the current government in 1991, but the ONLF withdrew from the government after its leaders were assassinated by the current government.

One last statement, Mr. Chair, if you will indulge. In your testimony here, you say: "I read a number of reports that were prepared by Mr. Dagne"—by the way, I have traveled with him, and even when he worked for Mr. Johnston in 1993 and 1994, was privy to his work for this committee.

I note that in your statement you question Mr. Dagne's suggestion that the al-Ittihad's strength and record had been exaggerated. In my opinion, and even the State Department's, Dr. Jendayi Frazier admitted that al-Ittihad was not dominated and run by al-Qaeda.

And I think that, although the Islamic Courts Union Government of Somalia was not the best formed, one thing that I personally believe, and facts support, is that it is not al-Qaeda dominated. It may become, since this belligerent attack on them has occurred under our encouragement.

So this is another example of where I think that our policy is going to create animosity when it could, I think, have been dealt with in another way. Incidentally, the head of ICU is not Aweys; Sharif Amin is the leader of the ICU in Somalia. No question; I just wanted it for the record. Later on, on somebody else's time—mine has certainly expired—you can respond.

Mr. DELAHUNT. Thank you, Mr. Payne. I am notified that we will probably have votes in about 15 or 20 minutes, so let me quickly go to Mr. Rohrabacher and then to Mr. Smith and acknowledge the extraordinary patience of the gentleman from Arkansas, Mr. Boozman, who has sat here, listened, and, I am sure, has some answers. Dana?

Mr. ROHRABACHER. Thank you, Mr. Chairman. I would just have to say that what we have heard today about what is going on in Equatorial Guinea is just a nightmare, just a total nightmare.

I do not understand how decent people in any government can sit back and look at a situation where hundreds of millions, if not billions, of dollars of wealth are being extracted from a very small country of 500,000 people and see that 80 percent of those people, or whatever it is, live in abject poverty and just ignore that reality, which suggests that of the mineral wealth that is being extracted from the country, that it is actually being robbed from the people

of that country and that we are just ignoring that fact in doing business with them.

I do not understand that. I will take the lessons of this hearing, Mr. Chairman, and thank you for holding this hearing to open our eyes up to this kind of monstrous activity that we are just ignoring and letting companies that are American companies profit from it.

I would say that one of the things that we need to do is to make sure that financial institutions, world, global financial institutions, international financial institutions are called to task and are held accountable for their role in this criminality. It appears to me that the financial institutions that enable the leaders of these countries like that to steal hundreds of millions of dollars, if not billions of dollars, from their own people.

We are talking about the international banks in which they deposit that money. These people, with their striped suits and their high incomes and their gated communities in which they live and their fine cars, they are accomplices to criminals. They may appear respectable. These people are accomplices.

If there is misery among 500,000 people who live in this small country, there is misery, and there are children that are dying of disease, and people living in wretched conditions that could be rectified by the use of resources that are their resources that are now being stolen from them, this is a crime that is being committed against them, and the financial institutions that take that money are accomplices to that crime.

We looked at this a little bit when I was the chairman of this subcommittee, and I would hope that we follow through on that, Mr. Chairman, to try to find out where that money is going to. What we see here is the pillage of some of the world's poorest countries, stealing wealth and resources from some of the world's poorest people, and we should not just turn our backs and ignore that when it is American companies that are engaged in this type of activity. I am very happy you held a hearing to alert us to that.

In terms of Ethiopia, am I not correct in my assessment? A couple of years ago, it came to my attention that the equipment that we provided the Ethiopian Government, which is United States military equipment, has been used actually by the Ethiopian military to suppress the demonstrations of people who were seeking to have free elections and wanted an accurate count in their election. Did that happen?

Ms. FREDRIKSSON. Speaking for Amnesty International, thank you, Mr. Rohrabacher, for that question. We are unable to track specifically whether the exact equipment and military support was used against civilians during that time, but one can make informed assumptions regarding particularly FMF and IMET training that has continued to go to Ethiopia and the choices that the government has made using them against its own opposition but also against its own ethnic minorities.

Mr. ROHRABACHER. We were in a bad situation in the Cold War. We had Communist ideology that was attractive to people of the world, and a lot of countries that were less than free; they wanted to replace those governments with Communist dictatorships in the name of helping the people.

We do not have that problem anymore. We are not talking about Communist guerillas who want to impose a Communist dictatorship here. We are talking about a situation where you have a government that is becoming more repressive where the people of that government would like there to be free elections.

This is not a hard call to make, and I would suggest, Mr. Chairman, that we have to make sure, first and foremost, that any military equipment and training that we give to Third World countries and developing countries, that that equipment and that military capability is used to protect freedom and the development of democracy and not to repress those who are seeking honest government and freedom.

I think that, in Ethiopia, the trend line is going in the wrong direction. It does not have to be a perfect government, but at least it has to be going in the right direction, and they have gone—

Mr. DELAHUNT. If the gentleman would yield.

Mr. ROHRABACHER. Certainly.

Mr. DELAHUNT. As I am listening to you, I find myself in agreement, and, you know, there ought to at least be a human rights predicate before we send military hardware and engage in any military assistance. If I had my own druthers, I would not send another bullet to Africa, period.

I think we begin there, but at least in these egregious cases that we have heard here today that I find very disturbing, I mean, we see it time and time again, this military hardware becomes reused, ends up in disparate countries in different regions, and all we are doing is providing the fodder for continuous civil wars all over the continent, taking advantage of poor people who are being oppressed, again, by despotic government after despotic government.

There ought to be, and I look to Mr. Payne and Mr. Smith, some sort of predicate for the sale of military or for military assistance, some sort of legislation that would have to be signed off by the Secretary who has the jurisdiction—in this case, Barry Lowenkron—before we do any more. This is just insanity.

Mr. ROHRABACHER. Mr. Chairman, we do have, and there has been a suggestion here, about perhaps restricting the travel and investment made by foreign leaders who are repressive leaders and corrupt leaders and aim it directly at the individual. I would be very much interested in looking at legislation that did this and would accomplish this mission, especially dealing with Africa, where we have, as I say, some of the world's poorest people being ripped off with full knowledge, or let us put it this way, with the United States Government ignoring this.

By the way, the United States Government is not ignoring what is going on in Ethiopia. It is very clear that the United States Government is playing a role in what is going on in Ethiopia and not playing a positive role.

When we go to China, and we start all of the different meetings off, and we mention human rights, the Chinese have learned that we really do not give a damn about human rights, that all it is is posturing. All they really care about in China is making money. That is it, and the Chinese know that, and they play it, but, of course, our Government just goes through this role playing of, yes, we are for democracy.

We need to do something real and make sure it is real, and if we cannot do it—

Mr. DELAHUNT. If my friend would yield one more time.

Mr. ROHRABACHER. Yes.

Mr. DELAHUNT. What I would recommend, again, along with you and me, is to request the Chinese Ambassador to come in for a briefing on these issues and let the whole world witness the discussion that we could have because I think it was the testimony of Ms. Fredriksson—it may have been Dr. Nyang or Dr. Pham—I am not sure—but the reality is the Chinese are all over the continent.

They have energy needs, resources needs, and we ought to invite representatives of the European Union to come here to say, "Okay, let us put all of the cards out on the table." Enough sending arms to Africa, enough violation of human rights, enough of the support for these oppressive governments and thugs.

Mr. ROHRABACHER. Reclaiming my time, Mr. Chairman, I would be very supportive of an effort, for example, to bring in the lobbyists for Equatorial Guinea and Ethiopia and let them tell us why they are accepting blood money from regimes that are repressing their people and robbing their people blind.

Mr. PAYNE. Could you yield for a moment? You will find some familiar faces, so be careful what you wish for.

Mr. ROHRABACHER. It is all right with me.

Mr. PAYNE. All right. And one other thing, let me just say that—

Mr. DELAHUNT. We are getting on a roll here.

Mr. PAYNE. Right. With Article 98, the United States was able to get a point across. I think it was wrong, but they stopped IMET and other kinds of support if a country did not sign Article 98, or opposed the Rome Treaty, and they made no exceptions. So when the U.S. wants to move in a way strongly, they can.

Secondly, in terms of the killings of the close to 200 people, we reviewed the wounds. Most of them were caused by sharpshooters who struck the demonstrators in the head with lethal shots. It was not by mistake. They were not just random, and that certainly takes some kind of special training. Not that they had to be Americans to teach them how to be sharpshooters; however, these were specialists who were there to kill, and the pictures at the hearing that we had showed the bodies of people that were hit in the head.

Mr. ROHRABACHER. Reclaiming my time, I would just note, the people who run Ethiopia know that. The gangsters who run Equatorial Guinea know what they are doing, and they probably know that our Government knows and that we are not really making a "Federal case" out of it.

I think the long-term security interests of the United States, especially now that the Cold War is over, and, again, we are not talking about a situation where there is a group of Marxist Communists who were captured by some wacko faith in Marxism-Leninism is going to change the whole world, and they are going to impose this Communist dictatorship, if this government falls, no. We are talking about having freer and more honest government available to people who are now being repressed.

The long-term security interest that we have, now that the Cold War is over, is, in every case, to be on the side of people who want

more democracy and more freedom. In the long run, that is where the security of our country lies because we are making an alliance with the people of the country rather than an elite that represses them and steals from those people. That type of long-term thinking is, unfortunately, certainly not at play with these two countries, and I am very happy that you have brought our attention to it today, Mr. Chairman.

Mr. DELAHUNT. Thank you, Mr. Rohrabacher. Chris Smith.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Chairman. First of all, let me apologize to our three distinguished witnesses. Three Members—Jim Saxton, Rob Andrews, and Frank Lobiando—and I just introduced legislation that deals with military security. The press conference was right as you were testifying, so I deeply apologize for that because I really wanted to hear what you had to say. I will read your testimonies. I can assure you, I do read them very carefully because they are usually chock full of good information that helps us do our job.

Let me just ask a couple of questions because I did not hear everything that you said. With regards to the political prisoners, when I met with President Meles, I raised with him—I know, Dr. Pharm, you have recently been back to Ethiopia, and you probably discussed this—the need to have an inquiry into the bloodletting that Chairman Payne just talked about, how accurate the sharpshooters were. They knew who they were killing, to a large extent, and it seems to be premeditated and sanctioned from on high.

To the best of my knowledge, there has been no credible investigation, and you might want to speak to that. Has anyone who ever been held to account for those killings?

Secondly, with regard to the large number of parliamentarians, mayors, human rights activists, journalists—I know that, Ms. Fredriksson, in your testimony you welcomed the release of some of these journalists. That is all good and well, but, frankly, they still have several people who are incarcerated and have been held in excess of what, 18 months now, under very dire conditions, and I am wondering if you can shed any light as to whether or not any torture or inhumane or degrading treatment has been imposed upon them? Surely, some of those who have been let out probably have had an ability to speak to that.

Thirdly, are all of you satisfied with what the U.S., the U.N., and the international community, and I would include in that the A.U., has done to intervene on their behalf? The idea of incarcerating your opposition is not new. This is not rocket science. We know that Lukashenka does it with impunity in Belarus. We know that the Vietnamese are incarcerating their best and brightest and bravest.

Tomorrow, there will be a show trial of two people that I met with when I was in Vietnam, human rights lawyers, who will be put on kangaroo trials and will get lengthy prison sentences, just the way Father Ly got 8 years a couple of weeks ago, and, today, three more people got lengthy sentences in Vietnam, and more will probably get them. This is what dictatorships do.

So I am wondering if you are satisfied with the response, both in terms of rhetoric, as well as with actual tangible deeds.

Finally, let me just ask you, if you could, the Ethiopian Government consistently asserts that its military actions in Somalia were in response to a serious, credible threat posed to Ethiopia by the Council of Islamic Courts. What is your view on that? I would really welcome what you have to say about that, if you could tell the committee.

I have other questions, but I am sure some of them were answered in the discussion already, so I would yield to the distinguished panelists.

Mr. PHAM. Mr. Smith, beginning with your first question, and then maybe I will turn to my colleagues, personally, I am not satisfied with what we have done. As I mentioned in my testimony, even as we have grown dependent upon this regime in Addis Ababa, they have grown dependent upon us. It is a two-way street, except that we have no conditionalities. They are equally dependent.

Ms. Fredriksson mentioned IMET training, for example. IMET training is not something that Meles can pocket. He uses it to increase his hold on the military, to reward favorites, and to ensure support. So he needs that as much as we need to give it, if not more so.

So, in a sense, sometimes you have to work with the devil, but you can also demand conditionalities, and we have not exercised the leverage that we have at all. With some of the other people we have talked about earlier, Theodore Obiang in Equatorial Guinea; his son owns a home—we could drive to it within a half an hour from here—and another one in Beverly Hills. These people come and go. You can steal all of the money you want, but you certainly do not want to spend it in Malabo, so you end up coming here.

So we do have a great deal of leverage, and we have not used it.

Ms. FREDRIKSSON. Thank you so much, Congressman Smith, and thank you for all that you have done on Ethiopia. I would like to run through your questions one by one pretty quickly.

In answer to your first, on a viable investigation, there has not been one to date. The parliamentary investigation was the best that we have had, and, as you know, some of those who participated in the inquiry itself were coerced and were forced to flee Ethiopia. Others ended up putting forward a flawed document that reported inaccurate numbers and really used the terms, "The security forces had been legal and necessary."

So, to date, we actually have no evidence that anyone has been held account for the abuses that took place after the elections in 2005.

Regarding the CUD, I did not mean to imply that we are satisfied in any way with the results of the recent court ruling. It is good that the judges decided, in certain cases, to reduce the charges or to drop the charges or to release certain individuals, but we are still seeing scores of human rights defenders, as you pointed out, who are surviving in very poor conditions in Kaliti Prison and who are still facing they have to go forward with a defense or to choose whether or not they are going to go forward with a defense. In other words, after the prosecution case, the courts decided that they would continue to prosecute on very significant charges, as

you say, some of which carry the death penalty for Keith Letegne and Mesfin Woldemariam and others.

In relation to the question regarding torture, there is evidence that individuals in Keith Letegne's CUD trial went into court very clearly physical abused, and yet the judges ignored their appearance and went forward.

Am I satisfied, or is Amnesty International satisfied, with what the U.S., the U.N., and others have done? Clearly not. If you will, I would say that the United States foreign policy on Ethiopia has been corrupted by our relationship with them at so many different levels because we are more concerned about our military relationship, our relationship in terms of counterterrorism activities, our bases on their territory, and the recent intervention into Somalia, and I think that that has significantly impaired our willingness to go forward with strong statements and certainly for our Ambassador, our new Ambassador in Ethiopia, to take strong actions to demand the release of prisoners of conscience and others in Ethiopia.

I will also defer to our esteemed academic colleague to my left regarding the CIC, but just to say one word, which is that, no, we do not think that there was an accurate assessment of the threat that was waged.

Mr. NYANG. I think, with regard to the relationship between Ethiopia and Somalia, I think we are caught in a bind. The U.S. Government was caught during the Cold War of playing one against the other. If you remember, Somalia and Ethiopia were playing merry-go-round. At one point, the Ethiopians were dancing to America, and we had the base, remember that, and American military involvement in Ethiopia was very evident.

Then, later on, there was a switch. With the coup against the emperor, who was very much close to the United States, the Derk became the favorite of the Soviet Union, and even people like Castro went there, and you have the connection with the South Yemenis. We remember that very clearly.

Now, what is tragic now is that, with the rise of al-Qaeda and the fight against international terrorism, we are witnessing a new game in that region, and the tragedy is both the Ethiopians and the Somalis are caught in this new fight. What is more serious this time around is that, during the Cold War, the demarcation lines were very clear. We know that these are Communists, and these are capitalists. But now that you have this war against international terrorism, the Somalis in this particular case find themselves in a quandary.

They suffered a political breakdown because Somalia has been the only African country without a state of any kind. I call it the "Somali Humpty Dumpty." We have to pull the Somali Humpty Dumpty back to power. And the crisis of confidence revolves around the role of religion in the region, and, of course, there are elements who would like to see the conflict between Ethiopia and Somalia as a religious war. It has nothing to do with that. The Somalis do have a vested interest in reestablishing a Somali state, but they have to get their own act together because they have yet to have a Somali Melenick to unit them the way the Germans were united.

So that is the problem with the Somalis. There is an internal Somali problem which the Somalis themselves must resolve in terms of organizing a new state built on democracy, and you have different dispensations or different governments that exist. You have in Hargeza a particular government there which is radically different from the transition government. The transition government has exploited Islamic fundamentalism more so than Hargeza because it is in their interest to get American support, and, of course, that is the situation that you have.

Then the alliance between the transition government and the Ethiopian Government does not play very well among Somalis, and I think that is where we are now.

Mr. PHAM. I would just add to that that, in the dynamic within Somalia, as Dr. Nyang pointed out, we have to distinguish between the traditional Islamic culture leanings of the people and the fact that, in this stateless situation, outside actors can influence certain parties and inject resources.

In the Islamic Courts Union, for example, the union as a whole was not al-Qaeda linked or terrorist linked. Many of them were just interested in law and order. However, within that group, there was a minority with a long radical history, and we conducted a hearing on this last year.

That group got all of the resources, and in a poor situation, what Dr. Nyang called "the politics of the belly," the ones who have the outside resources and inputs are the ones who gain the upper hand, not because they have popular support but because they simply have the resources, and that was what Ethiopia, I believe, was reacting against, was their fear, perhaps exaggerated but certainly well-founded, that there was a minority group within the Islamic Courts Union, but they had greater resources, and it was gaining greater leverage.

In fact, subsequent to the Ethiopian invasion, the Ethiopians rounded up people from literally around the globe, people with Scandinavian and Canadian passports and others who were clearly not Somalis who were involved in the fight. So they were serving as a magnet. The threat, now hindsight is 20/20, but there certainly was some reasoning behind that.

Mr. PAYNE [presiding]. Mr. Boozman, you have been patient.

Mr. BOOZMAN. Thank you, Mr. Chairman. Very quickly—I know that we have got to go vote—can you all help me a little bit? In our summary, it said that Equatorial Guinea was not free, as far as Freedom House, and then partly free on Ethiopia. What would be some other examples of not-free countries? Is China not free? Saudi Arabia or Thailand? Do you have any idea?

Again, very quickly because we have got to go, but give me another country. Saudi Arabia, how you all would rank them; would it be ranked like Equatorial Guinea?

Mr. NYANG. Well, Saudi Arabia has parallels to Equatorial Guinea with a difference. Saudi Arabia has a ruling family, and the ruling family does enjoy certain benefits.

Mr. BOOZMAN. But as far as their human rights record?

Mr. NYANG. With regard to human rights, the Saudi society is much more organized than Equatorial Guinea in the sense that the Saudi society is based on—there is a tribalism in the culture, and

it is a very complex society, more so than, say, Equatorial Guinea. In the case of Equatorial Guinea, you have a subgroup within the dominant group that controls the levers of power.

Mr. BOOZMAN. I guess what I was wondering, again, I am just trying to get a frame of reference. We have a very small African country here. I guess I am just trying to get a frame of reference to other countries like Guinea as far as the same level of problems that they have got going on.

Mr. PHAM. Sir, if you are referring to the Freedom House Index, both Saudi Arabia and Equatorial Guinea figure in as not free. They are in the same category on Freedom House's index.

Mr. BOOZMAN. And, again, very quickly, and do not get me wrong about this, Mr. Chairman, at all, I agree with you that the situation in Guinea is certainly not a good one at all, and we need to figure out how to do something to help that situation. What I get concerned about, though, is that you kind of stirred the pot little bit. I go home and go to bed with a full stomach. But if we had a situation where we backed off ExxonMobil, things like that, perhaps the Chinese came in, whoever, somebody is going to do the oil revenue. Okay?

What does that do, as you start doing those things, what does that do to the average guy that is over there that is trying to provide for his family or whatever? The ruling class is going to get by fine. They are going to take their graft no matter what we do.

Do we have any success story that we have done in the past in a similar situation in Africa that has worked? Somebody mentioned South Africa. I think that is a little different situation. Do you understand what I am saying?

Mr. NYANG. I think, if we are looking at Africa's success story, we have 54 African countries. Some African countries are more advanced than others. Not all of them are in the same boat. Botswana is a definite contrast to Equatorial Guinea. Botswana has resources, and they use their resources more efficiently and in a much better way—

Mr. BOOZMAN. I do not mean to interrupt, but if we, through sanctions, forced ExxonMobil out of the country, how would that affect the average guy that lives over there? Would that make his life better or worse? Would that up the standard of living, or would that decrease the standard of living?

Mr. NYANG. Well, the standard of living is low anyway, and one thing that has to be done, which has not been done, by the way, and this is not only an American problem; this is a problem that affects all of the developed countries. Most of these people who are engaged in the politics of greed take their fortune to the West.

They do not put their money in their countries, so that is one leverage you have because if it is very clear to these leaders that they cannot use their monies in the United States, and many of them, they come, and they buy homes in this place. So they rip off their people, and they come over here, and they buy houses. But if they know that they cannot use their money anywhere else outside of their countries, you would have a completely different situation because that would force them to change.

As long as they have collaborators on this side of the Atlantic or this side of the Pacific who help maintain that practice, you are going to have these kinds of situations.

Mr. BOOZMAN. I understand. Can you, 30 seconds?

Mr. PHAM. Mr. Boozman, that is why I proposed that scheme of we have to divide these countries into three categories. There are some places where anything we do, sanctions, anything, will make life worse for the very people we want to help, and there we have to tread very, very carefully, lest we make a bad existence worse. There are some places where they are at a tipping point where a little bit of pressure will do, and then there are places where we have considerable leverage. So we need to evaluate each country and each particular circumstance.

Mr. BOOZMAN. Thank you.

Ms. FREDRIKSSON. And, Congressman Boozman, if I may, rather than offer a competing model, what I would like to suggest is that there are ways short of boycotts or sanctions that we can actually have an impact on how Equatorial Guinea spends its money. One of them is strongly urge the Government of Equatorial Guinea to create and implement a transparent revenue-management system, as the IMF has recommended, in 2 different years. The other is to encourage greater fiscal transparency and accountability, which the U.S. can have a significant impact on, given the level of U.S. investment.

I think if we follow through on those, that would be very useful in also helping to create the percentage that has contributed to the Social Development Fund.

Mr. BOOZMAN. Thank you, Mr. Chairman.

Mr. PAYNE. There is a similar situation in Chad. To build a Chad-Cameroon pipeline, there had to be an agreement by that country to have a certain amount of social spending. Thank you very much, Dr. Boozman.

Let me just say a couple of things, and you can leave. I will take a chance on making the vote. All right. Saudi Arabia and China are considered not free, so far as Freedom House's recommendations, and you know there is the partly free and free, so those are three categories that they have.

Secondly, we asked about whether, in the crackdown, there was any U.S.-provided equipment, and I mentioned about the sharpshooters and training. In the crackdown, we found out that the State Department did say that some armored personnel carriers or transports were used to patrol neighborhoods where diplomats live, but I think the Ethiopians used equipment that we gave them for other uses during that crackdown.

Also, on laws that we are talking about, we have laws in place to prevent giving training to human rights abusers. They are referred to as the "Leahy Laws," after Senator Patrick Leahy of Vermont. The law requires Embassies to vet both individuals and units before they get military training. So we need to look at some of the laws that we have on the books and try to get them to be implemented properly.

Once again, I would like to thank the witnesses. It has been very instructive. I think we certainly have a lot more work to do. As relates to sanctions, when Congress was considering sanctions for

South Africa, the poorest people said that they would welcome them. They said they could not go any lower, and they said that the United States sanctions against South Africa were something they supported, even though they knew it hurt them. But they had so little, it hurt the ruling class much more.

I do think that we need to look at our policies and certainly with our oil companies. With that, the meeting stands adjourned. Thank you very much.

[Whereupon, at 5:25 p.m., the subcommittee was adjourned.]

## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

#### REVISED PREPARED STATEMENT OF J. PETER PHAM, PH.D., DIRECTOR, THE NELSON INSTITUTE FOR INTERNATIONAL AND PUBLIC AFFAIRS, RECEIVED POST-HEARING

Chairman Delahunt, Chairman Payne, Congressman Rohrabacher, Congressman Smith, and Distinguished Members of Congress:

I am honored and pleased to have received the invitation opportunity to appear before you today to discuss, as the title of this hearing has it, whether there is “a human rights double standard” with respect to United States policy towards Equatorial Guinea and Ethiopia. As someone who has repeatedly lamented that Africa is often treated as something of a “stepchild” of U.S. foreign policy, I have to recognize the leadership of the subcommittees not only for calling this oversight hearing, but for the longstanding commitment of the Congress with regard to Ethiopia in particular, which stretches back over a decade to Congressman Harry Johnston’s role mediating between the government and the opposition through the efforts of Congressmen Tom Lantos and Donald Payne and others during the Ethiopia-Eritrea border dispute and down to efforts by Congressman Edward Royce and others to ensure free and fair elections in 2005 and the interest that the Africa subcommittee under Congressman Christopher Smith has had in democratic progress after that poll.

For the record, I would preface my remarks with the understanding that while some of my points will certainly have their application to the case of Equatorial Guinea, my observations will focus on U.S. policy towards Ethiopia where I have done research and field work, including the privilege of observing the historic parliamentary elections in 2005, and which is more directly related to my security studies of the Horn of Africa subregion, concerning which I have previously had the privilege of briefing the predecessor of the present subcommittees (as well as the Subcommittee on International Terrorism and Nonproliferation) during the 109th Congress.

I am also humbled to be called upon to follow-up upon the remarks made by Dr. Sulayman Nyang, whose work on Islam in Africa I have great respect for, and Ms. Lynn Fredriksson, whose organization has done a tremendous amount of good in many of the conflict zones of Africa that I have worked in. As an educator, I want to especially commend the role that Amnesty International and its “Urgent Actions” have played in helping win the release in Ethiopia of detained members of the Ethiopian Teachers Association as well as students who were arrested for opposition political activity. Consequently, my purpose is not so much to contest what my colleagues have said as much as to try to complement it by presenting some background to the context, challenges, and opportunities involved in U.S. relations with Ethiopia.

#### CONTEXT

Before entering into a discussion of the rough-and-tumble of contemporary Ethiopian politics, a word might be said about the unique constitutional framework for multiethnic governance that the country has constructed in recent years and for which, in my view, it gets too little credit.

Ethiopia, as we all know, is Africa’s oldest continuously existing polity. Despite its ancient roots, the country’s political history and development was affected by the Western colonial enterprise, albeit in a manner different from that of other pre-colonial African polities. Faced with the pressures of the European empire builders, the Ethiopian monarchy under Menelik II (*nagusä nägäś*, 1889–1913) systematically expanded its boundaries, incorporating previously independent communities with widely differing religious, ethnic, and political backgrounds into a centralized impe-

rial state. While the regime in power at any given moment in the country's subsequent history has varied considerably—as have the constitutional documents under which the successive governments theoretically labored—from Haile Selassie's "divinely-sanctioned" imperial rule to the socialist-inspired "People's Democratic Republic" of the Derg, the monolithic contours of a centralized unitary state have remained constant.

Following the flight of Mengistu Hailemariam and the collapse of the Derg in 1991 after a protracted civil war, the Eritrean People's Liberation Front (EPLF) emerged victorious in Eritrea while the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), a coalition of various groups headed by the Tigrayan People's Liberation Front (TPLF), predominated in the rest of what was then Ethiopian territory. Following a referendum on April 23–25, 1993, the EPLF led the former Italian colony—which was only awarded in federation to Ethiopia in 1952 and unilaterally annexed and integrated by the latter ten years later—to independence. An EPRDF-led transitional government was set up in Addis Ababa for the balance of the old country and tasked, among other things, with preparing a new constitution.

A 547-member constituent assembly was elected in early June 1994 and, after extensive debate and a number of amendments, approved the "Constitution of the Federal Democratic Republic of Ethiopia" on December 8, 1994.

Perhaps the most salient feature of the constitution is its privileging of the ethnic issue from the very beginning. The document's preamble opens with "We, the Nations, Nationalities and Peoples of Ethiopia" rather than the now-conventional "We the People." Nor is this a mere rhetorical device as is made clear by Chapter 2 of the charter, "Fundamental Principles of the Constitution," which declares "all sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia" for whom the constitution "is an expression of their sovereignty" (Art. 8). Interestingly the definition for a distinct status under the constitution is not that different from the sociological definition of a "nation":

A "Nation, Nationality or People" for the purpose of this Constitution is a group of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory. (Art. 39, para. 5)

The constitution goes on to specify that the federal structure thus brought into being shall comprise of states "delimited on the basis of settlement patterns, language, identity and consent of the people concerned" (Art 46). As a starting point (Art 47), nine ethnically-based federal states (*kililoch*)—Tigray, Afar, Amhara, Oromia, Somali, Benishangul/Gumuz, "Southern Nations, Nationalities and People," "Gambella Peoples," and "Harari People"—as well two self-governing administrations (*astedaderoch*)—Addis Ababa and Dire Dawa—are constituted. The right of "any Nation, Nationality or People to form its own state" is affirmed and can be exercised following a prescribed procedure (Art. 48, para. 3). The constitution also affirms the right of secession as an inherent part of the "unconditional right to self-determination" enjoyed by "every Nation, Nationality and People in Ethiopia" (Art. 39) and provides the mechanisms for exercising that right.

Short of secession, the constitution affirms that "every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government" (Art 39). Within the "identifiable, predominantly contiguous territory" that its individual members inhabit, this right is exercised through the establishment of local institutions of government. On the state and federal levels, the right is guaranteed through the principle of "equitable representation." At the federal level, for instance, the constitution disposes that of the maximum 550 members of the House of Peoples' Representatives at least 20 seats must be reserved for "minority Nationalities and Peoples" in accordance with particulars to be legislated by statute (Art 54). Furthermore, additional provision may be made for minority representation. The upper chamber of parliament, the House of Federation, is composed of at least one representative from each recognized "Nation, Nationality and People," with "one additional representative for each one million of its population" (Art 61).

To say that the introduction of this model aroused misgivings considerably understates the reaction to this novel approach to challenges of ethnicity. But it has to be conceded that, whatever the subsequent shortcomings of the government of Prime Minister Meles Zenawi, the reorganization of the centralized Ethiopian state into a federal arrangement occurred with relatively little economic or political disruption, even as large numbers of civil servants were transferred from Addis Ababa to regional centers to staff the new state governments. While it is too early to declare the success (or failure) of the ethnic federal system in Ethiopia, it is not far-fetched to propose, as one Ethiopian scholar does, that "recognition of the rights,

obligations and respect for the language, culture and identity of nations is the first difficult but unavoidable step toward non-ethnic politicization and a multiparty system.”

The elections of May 15, 2005, should have delivered on this promise, marking the first real multiparty poll in Ethiopia’s history which stretches back three millennia. Nearly 26 million people, 48 percent of them women, registered to vote. Some 1,847 candidates competed for the 547 seats in the lower house of parliament. I was present in the country during the final campaign period and during the poll. The excitement which gripped the country, especially after the opposition parties—which barely had a dozen seats in the outgoing legislature—won some 170 seats and made a clean sweep of the capital, Addis Ababa, was electrical. I was with two of the leaders of the Coalition for Unity and Democracy (CUD), Hailu Araaya and Isaac Kifle, on the very morrow of their victory and can testify to the hopes which seemed so bright that day.

While I do not wish to minimize in any way the serious charges of irregularities which the CUD as well as the United Ethiopian Democratic Forces (UEDF) and the Oromo Federalist Democratic Movement (OFDM) brought following the publication of election results—much less the subsequent turmoil and violence and the government’s at times ham-fisted response—these have to set within a context. The 2005 elections, for all their flaws, were a vast improvement over those of 2000. And, again without excusing many unfortunate incidents, those same elections were much better than those in other African countries whose electoral exercises I have observed—whatever intimidation or fraud may have occurred in Ethiopia, it certainly did not equal what I saw in Nigeria just over two weeks ago—much less those in other parts of the world.

#### CHALLENGES

Without taking away from any of the concerns raised by Amnesty International and other nongovernmental organizations as well as by our own State Department and partner governments regarding mass arrests, the use of lethal force against civilian protesters, and other serious charges leveled against the government of Prime Minister Meles, it would perhaps serve us well to take note of the serious *existential* challenges faced by the government in Addis Ababa, both internal and external.

Internally, the Ethiopian government faces armed opposition from the Oromo Liberation Front (OLF) and the Ogaden National Liberation Front (ONLF), both of whom claim to be engaged in “national liberation struggles” to free their respective peoples from what they perceive to be “occupation.” Whatever the merits of these claims, it is incontestable that both groups have carried out numerous attacks not only on government military forces, but also civilian officials and even ethnic groups supposed to have pro-government affinities. In one instance, just one month before the 2005 election, some 400 members of the Gebera, an ethnic group in Oromia with strong ties to the government, were slain.

If there was any question of the ongoing seriousness of the challenge posed by these armed internal opposition forces, late last month the ONLF launched an attack on an oilfield being developed by a Chinese firm in Ethiopia’s Somali Regional State. During the subsequent fifty-minute firefight between the ONLF fighters and Ethiopian soldiers guarding the oil workers, nine Chinese and sixty-five Ethiopians were killed. Seven other Chinese workers were kidnapped before the ONLF fighters withdrew and subsequently released. (I would observe that despite the ONLF’s open admission of its role in the most spectacular attack within Ethiopia since the fall of the Marxist dictatorship in 1991—to say nothing of the toll of thousands of lives which ONLF ambushes and raids against Ethiopian military and civilians have exacted since 1984—the Ogadeni militants amazingly do not figure in official U.S. terror lists.)

Externally, the Ethiopian government has become embroiled in the crises affecting neighboring Somalia. The Ethiopian officials, unlike their Western counterparts who have only belatedly picked up upon the rising Islamist storm in the Horn of Africa, know well the origins of *al-Itihaad al-Islamiya* (“the Islamic Union”), the predecessor to the Islamic Courts Union which was established in the 1980s and sought the creation of an expansive “Islamic Republic of Greater Somalia” embracing all Somalis, and even perhaps all Muslims, in the Horn of Africa. After the collapse of the last effective government of Somalia in 1991, al-Itihaad tried to seize control of strategic assets like seaports and crossroads. Although it temporarily held the northern port of Bosaaso and the eastern ports of Marka and Kismaayo, the only area where it exercised long-term control was the economically vital intersection of Luuq, in southern Somalia, near the Ethiopian border, where it imposed harsh *shari'a*-based rule from 1991 until 1996.

No less than expert than Dr. Ted Dagne of the Congressional Research Service affirmed that “Al-Itihad has carried out a number of terrorist attacks against Ethiopian targets.” In fact, from its base in Luuq, the Islamists of al-Itihad encouraged subversive activities among ethnic Somalis in the Ogaden region of Ethiopia, who carried out a series of terrorist attacks, including the bombing of two hotels and the attempted assassination of a cabinet minister in Addis Ababa. The exasperated Ethiopian regime finally intervened in Somalia in August 1996, wiping out al-Itihad bases in Luuq and Buulo Haawa and killing hundreds of Somali extremists as well as scores of clearly non-Somali Arabs who had flocked to the Horn under the banner of *jihad*.

After that defeat a decade ago, al-Itihad changed tack and, as the longtime scholar of Somali affairs, Professor Iqbal Jhazbhay of the University of South Africa, noted in a recent paper, “rather than prioritize a strategy of developing an independent military base, decided instead on what could be termed a more ‘hegemonic’ approach whereby it would be working within Somali political and clan structures such as the Islamist Courts.” While the courts—aided by external financial resources in addition to internal organizational capacity—have credited with marked improvements in security in many areas of Somalia, they also represented al-Itihad’s new stealth strategy of achieving a preponderant position in society from which to impose its radical theology and extremist political agenda.

An example of the success of this approach is found in the career of the chairman of the ICU’s *shura* council, Sheikh Hassan Dahir Aweys. After his defeat at the hands of the Ethiopians in 1996, Aweys, the vice-chairman and military commander of al-Itihad (and, prior to that, a colonel in the prison service of the Siyad Barre regime, an occupation for which it would fair to read “torturer”), settled in Merka where he established the first Islamic court in the lower Shabelle region. He then moved to Mogadishu to preside over the Islamicization of the southern part of the capital. While the name “Aweys” may not ring a bell with most Americans, it should be recalled that the “sheikh” was prominent enough a figure in the world of terrorism to make the cut onto the list of 189 individuals and organizations singled out by the U.S. government for special mention after the attacks of September 11, 2001—as well he should for someone whose liaison with al-Qaeda was none other than Muhammad Atef, who was Usama bin Laden’s military chief until he was killed by U.S. forces in Afghanistan.

In the light of this history, is it at all surprising that Ethiopia ended up intervening in Somalia? While, as I have repeatedly said since the fighting began on December 20, 2006, Ethiopia may not have been the ideal intervener in Somalia, better it than no one and perhaps the one thing worse than Ethiopia intervening forcefully is for it to have done so in vain. Unless the al-Qaeda-linked radicals within the ICU leadership are utterly and unambiguously defeated—or, in all frankness, better yet, eliminated—they can still turn the remnants of the former Somalia into a regional terrorist hub that exports the conflict from Somali territory across the Horn of Africa.

And, without stretching my brief too far, permit me to simply mention the rather unfortunate role that Ethiopia’s regional rival, Eritrea, and its rather nasty government have played in the ongoing situation in Somalia, arming the Islamist insurgency as a way to stoke the fires of its own conflict with its larger neighbor. In fact, Eritrea’s strategy is precisely to play the role of regional spoiler, forcing Ethiopia to maintain robust forces in its southeast as well as to its north, draining scarce resources.

This is a reality we have come to realize and which, I would imagine, has informed much of U.S. policy in recent months. And while I am unable to address the particulars of how Ethiopia has helped to advance our interests in the Horn of Africa in recent months, the conclusion I would draw from an analysis of open source information as well as my own contacts in the region is that it would hardly be an exaggeration to characterize the relationship as “strategically vital.”

While I have made no secret of my view of the “Transitional Federal Government” (TFG) of Somalia as well as my disagreement with the seemingly uncritical support that the United States has publicly thrown behind this internationally-recognized, but disastrously ineffectual body, it nonetheless remains that the policy of our government has been to back the TFG. In this regard, with its promises—including ones made just this week—of support for a stabilization force largely rhetorical with the exception of Uganda, the Africa Union has likewise not followed through. Only Ethiopia has put forward the resources to support what—mistakenly I believe—seems to be our policy.

In addition, I would mention just in passing the contributions that Ethiopia has made to peacekeeping operations which we have supported in places like Liberia—where two Ethiopian battalions were committed to the largely successful United Na-

tions Mission in Liberia (UNMIL) led by Ambassador Jacques-Paul Klein which paved the way for the elections which brought President Ellen Johnson-Sirleaf to office—as well as various trouble spots across the African continent.

#### OPPORTUNITIES

With all the challenges in mind, I would encourage us to return to the glimmer of hope the 2005 elections offered. Clearly there were flaws. But there are also opportunities. If anything, the former point to the need to build capacity and encourage reform. The National Electoral Board of Ethiopia (NEBE) did a rather outstanding job registering voters and candidates and preparing for the poll; its post-election performance was perhaps less impressive. This capacity needs to be strengthened through international exchanges and other mechanisms. The same things could be said for other political and civil society institutions in Ethiopia.

I know that our Embassy in Addis Ababa has been engaged with the both parliamentarians and municipal authorities in Ethiopia. Technical experts provided by the European Union—especially Germany and Great Britain—have been involved with the government in a process of reviewing a number of rule of law issues. I would encourage the Administration and the Congress to seek ways and means to return IFES, the International Republican Institute, and the National Democratic Institute to Addis Ababa to help with the long-term process of capacity building and political reform.

The point which I want to underscore is that, unlike the two other countries mentioned here today—Equatorial Guinea and Zimbabwe, which Dr. Nyang has brought up—in Ethiopia we have significant opportunities to engage in support of human rights, good governance, and, yes, democracy.

#### CONCLUSION

Messrs. Chairmen, Distinguished Members:

During the latter stages of the Cold War, one school of ethical analysis, ultimately labeled that of “moral equivalence” by the late Jeane Kirkpatrick, measured Western liberal democracies against utopian standards in a radical critique—often buttressed by what is now known to have been disinformation from the Eastern bloc—which redefined the political discourse, erasing distinctions between the Soviet Union and its satellites on the one hand and the United States and its allies on the other. In short, the world was divided into two “morally equivalent” spheres, each led by a superpower which perpetrated equally reprehensible deeds—although somehow those of the U.S., by dint of its greater openness as a society, generally received greater scrutiny—in its struggle for global supremacy. As a result, according to those who subscribed to this vision, the “free world” had no moral standing to criticize the abuses occurring behind the Iron Curtain.

One would have assumed that the collapse of the Iron Curtain had consigned this doctrine to history’s dustbin, but it has enjoyed something of a revival in the 21st century, albeit this time among those whose sympathies lie perhaps less with the fantasies of scientific Marxism incarnate—at least in theory—in the U.S.S.R. and more with the romantic notions of Third Worldism as represented by any regime which has attracted the critical scrutiny of the West. This is the approach which the Robert Mugabes of the world and their defenders take.

But there is another variant of moral equivalence that is just as pernicious. It is the one which, in the name of avoiding “double standards” and for the sake of avoiding “inconsistencies,” refuses to distinguish between what Dr. Nyang has appropriately termed the “historical distinctiveness” of the nations under examination and their relationships with our own country.

The United States and other countries with a liberal democratic tradition can and should support the efforts of men and women everywhere to secure for themselves the rights and freedoms we more often than not take for granted. That principle being stated, however, I would suggest, with all due respect, is that we have to acquire the wisdom—and the humility—to acknowledge the limits of our own capacities in the differentiated cases which we confront and, accordingly, tailor our policies responsibly and realistically to achieve the strategic effect we seek.

In some cases, no matter how morally self-satisfying it may be, outside advocacy—to say nothing of external intervention—may even lead to a worsening of conditions for those on whose behalf action was undertaken in the first place. In other cases, the reality is that civil society—perhaps through no fault of its own—has yet to mature and a viable political opposition has yet to materialize; in such a situation, our options are limited. And in still other cases, we can do a great deal to empower the forces seeking peaceful democratic transformation through direct engagement with both those forces and the regimes they face off against, regimes which our relation-

ships with might allow us considerable leverage. I would suggest that perhaps Zimbabwe may be an example of a country which falls into the first category, Equatorial Guinea the second, and Ethiopia the third. In Ethiopia, despite setbacks, there is an extensive civil society and a credible political opposition. And we have a government with which we can work.

In the end, the reality which must be recognized is that progress in human rights will be made not so much because outsiders, whether governmental or civil society actors, push it, but because individuals, cultures, and nations appropriate it for themselves, ultimately embracing it as something worth fighting for. The 2006 version of the *National Security Strategy of the United States of America* acknowledges as much when it states:

Africa holds growing geo-strategic importance and is a high priority for this Administration. It is a place of promise and opportunity, linked to the United States by history, culture, commerce, and strategic significance. Our goal is an African continent that knows liberty, peace, stability, and increasing prosperity . . . The United States recognizes that our security depends on partnering with Africans to strengthen fragile and failing states and bring ungoverned areas under the control of effective democracies.

In the case of Ethiopia, against the backdrop of its millennial history, it is my conclusion that extraordinary progress has been made in recent years and it is the will of the people that the momentum be sustained. It is my opinion that the Ethiopian government, despite some backsliding—understandable if not excusable because of the extraordinary challenges it faces—will ultimately not stand athwart the march of history. And it is my hope that the United States will make full use of the opportunities offered by the strategic, diplomatic, political, and cultural links of its engagement with Ethiopia to help open up the path forward.

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PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF TEXAS

I would like to begin by thanking the Chairmen of both the subcommittees here today for convening this hearing examining whether there is a double standard in our government's dealings with countries with poor human rights records. I would also like to thank the Ranking Members of both committees, and my colleagues for taking the time to address this important issue. Additionally, let me welcome our three distinguished witnesses, Dr. Sulayman S. Nyang, Professor of African Studies at Howard University, Lynn Fredriksson, Advocacy Director for Africa at Amnesty International USA, and Dr. J. Peter Pham, director of the Nelson Institute for International and Public Affairs. I look forward to hearing your testimonies.

Mr. Chairman, I believe it is crucial that we practice what we preach. In this country, we struggled to achieve democracy, fought for our own human rights, and we now call for the observance of these same values around the world. Yet we persist in providing support to non-democratic regimes in exchange for their cooperation on strategic issues.

Citizens of Equatorial Guinea do not enjoy the freedoms that we as Americans would believe to be crucial. According to a Freedom House report, “the country has never held a credible election,” and freedom of the press, as well as the rights of association, assembly, collective bargaining, and travel abroad are all limited. Coupled with a lack of an independent judiciary, the nation’s citizens have little constitutional or legal protection or recourse. A 2006 report by the United States Department of State is even more damning, citing a host of abuses including torture, beating, and other physical abuse of detainees by security forces, trafficking of persons, forced child labor, and discrimination and abuse of women and ethnic minorities. These are violations of some of the most basic human rights that we, as Americans, recognize and value.

Largely due to this immense repression, the United States closed its embassy in Equatorial Guinea in 1995; however, President Bush opted to reopen the embassy in 2003. The United States is currently Equatorial Guinea’s largest investor, with American investments currently totaling about \$11 billion, mostly in oil and gas. Recently, in 2006, USAID and the Government of Equatorial Guinea reached an agreement to create a “Social Needs Fund,” to which the government of Equatorial Guinea would contribute \$15 million over five years, and USAID would offer technical assistance.

Like Equatorial Guinea, Ethiopia has a pattern of ongoing human rights abuses. Though Freedom House noted important strides forward during that country’s 2005 election, the organization argues that Ethiopia still falls short of international

standards. Additional abuses, according to the State Department, include unlawful killings, beatings, abuse of detainees and opposition supporters, violence against women and children, and discrimination against people with disabilities and members of minority groups.

Despite these abuses, the United States has been Ethiopia's staunchest supporter. In the interest of cultivating an ally in this extremely tumultuous region, cooperation with the Addis Ababa government has been deemed a prudent investment against the instability and violence in Sudan and Somalia, as well as in the fight against terrorism in the region. I recognize that Ethiopia has been an important ally in the global war on terror. Furthermore, Ethiopia remains one of the largest recipients of U.S. assistance, particularly humanitarian aid, in Africa. The nation has also received military aid, totaling \$22 million in the past seven years.

Mr. Chairman, American involvement in these two countries provides us with an opportunity to monitor their respective human rights policies, and to use diplomatic and economic means to persuade both governments to respect the basic rights of their citizens. The United States' moral authority has been severely compromised by the foreign affairs policies of the current administration. While I do not dispute that concerns of national security are of paramount importance, I would caution my colleagues about compromising too many of values and ideals that we, as Americans, hold most dear.

Basic human rights are not negotiable. They are not assets to be bargained away in the pursuit of other diplomatic, strategic, or economic goals. Human rights must remain central, not peripheral, to our relations with countries throughout the world. I look forward to hearing the three witnesses analyze the current situations in Equatorial Guinea and Ethiopia, and to their assessments of U.S. policies. Thank you, Mr. Chairman, and I yield back the balance of my time.

